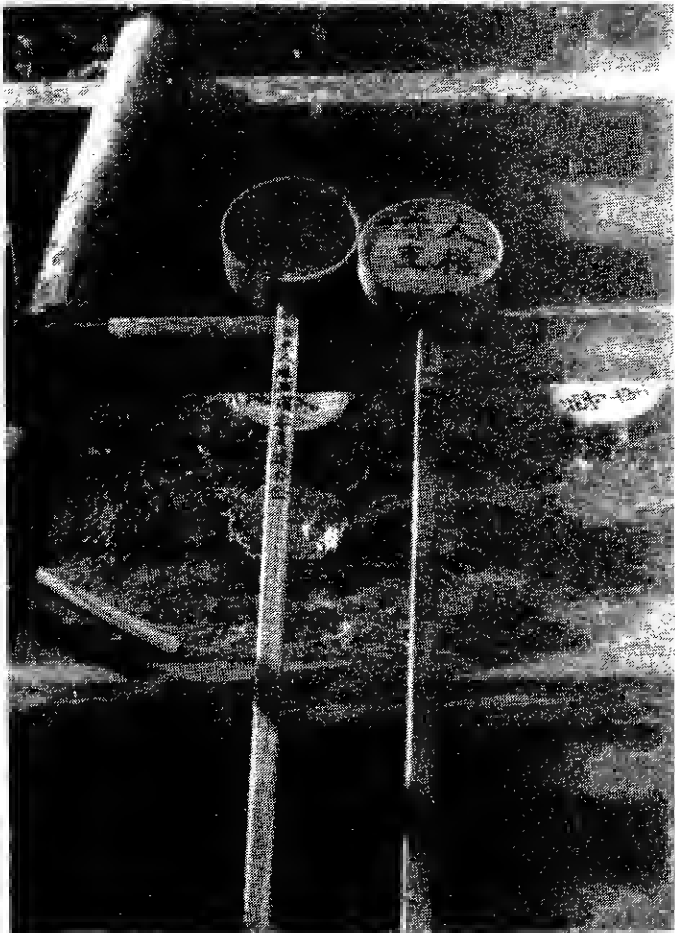


SPEAHRhead

BULLETIN of the SOCIETY FOR THE PROTECTION OF EAST ASIANS' HUMAN RIGHTS



Purification rights. This ceremonial cleansing well in front of the Great Buddha Todaiji in Nara symbolizes increasing Japanese concern for the cause of international human rights. Dippers are shown over the water trough.

The Korean Tragedy

South Korea's flirtation with liberalization earlier this year seems to have ended in failure, and political violence now appears to be the order of the day. Some would blame the violence on the Korean people, but we see the disturbances such as the May uprising in Kwangju as reactions to many years of governmental oppression, i.e. to official violence. Be that as it may, this wave of political violence —

EDITORIAL the arrests of peaceful writers and political figures — is obviously the responsibility of General Chon Doo Huan, the country's new strongman. His actions can only retard the country's political development and international standing.

In view of these developments, twenty-nine members of the U.S. Congress have asked President Jimmy Carter to deny \$450 million in pending Export-Import loans to South Korea. Such a sanction, they say, "will send a clear message without any destabilizing security implications" at a time of "eroding democratic freedom" in Korea.

The legislators were particularly concerned about the case of Kim Dae Jung, who was nearly elected president in 1971 and remains one of South Korea's most popular leaders. Kim was indicted on August 1 for treason, for which he could receive the death sentence. Even the normally cautious U.S. State

(Continued on page 22)

SPEAHR seeks to advance the cause of human rights in China, Taiwan, Mongolia, North and South Korea, and among the Asian Ethnic minorities in the Soviet Union.

We view the struggle to promote human rights as virtually synonymous with the struggle to promote non-violence. Our conception of non-violence is a broad one. It is as violent to permit people to starve as it is to torture them. It is as violent to imprison people because of their beliefs as it is to kidnap them for ransom.

We are confident that the best solutions to the many social and economic problems will emerge from within these societies, once the various political groups interact non-violently—i.e., respect each other's human rights. We are convinced that ruling groups waste much of their nation's resources and human energy when they attempt to eliminate dissent. And when a particular social policy is adopted simply because its advocates enjoy the preponderance of force, there is no reason to believe that the policy is more desirable than alternative policies for the people affected. Only when the issues are debated by a public with access to a range of ideas and information, do we have some reason to hope that the more socially advantageous paths will be followed by those in authority.

UNIVERSAL DECLARATION OF HUMAN RIGHTS

On December 10, 1948, the General Assembly of the United Nations proclaimed this declaration as "a common standard of achievement for all peoples and all nations."

Article 1. All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.

Article 2. Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty.

Article 3. Everyone has the right to life, liberty and security of person.

Article 4. No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms.

Article 5. No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

Article 6. Everyone has the right to recognition everywhere as a person before the law.

Article 7. All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination.

Article 8. Everyone has the right to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted him by the constitution or by law.

Article 9. No one shall be subjected to arbitrary arrest, detention or exile.

Article 10. Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal, in the determination of his rights and obligations and of any criminal charge against him.

Article 11. (1) Everyone charged with a penal offence has the right to be presumed innocent until proved guilty according to law in a public trial at which he has had all the guarantees necessary for his defence.

(2) No one shall be held guilty of any penal offence on account of any act or omission which did not constitute a penal offence, under national or international law, at the time when it was committed. Nor shall a heavier penalty be imposed than the one that was applicable at the time the penal offence was committed.

Article 12. No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks.

Article 13. (1) Everyone has the right to freedom of movement and residence within the borders of each state.

(2) Everyone has the right to leave any country,

including his own, and to return to his country.

Article 14. (1) Everyone has the right to seek and to enjoy in other countries asylum from persecution.

(2) This right may not be invoked in the case of prosecutions genuinely arising from non-political crimes or from acts contrary to the purposes and principles of the United Nations.

Article 15. (1) Everyone has the right to a nationality.

(2) No one shall be arbitrarily deprived of his nationality nor denied the right to change his nationality.

Article 16. (1) Men and women of full age, without any limitation due to race, nationality or religion, have the right to marry and to found a family. They are entitled to equal rights as to marriage, during marriage and at its dissolution.

(2) Marriage shall be entered into only with the free and full consent of the intending spouses.

(3) The family is the natural and fundamental group unit of society and is entitled to protection by society and the State.

Article 17. (1) Everyone has the right to own property alone as well as in association with others.

(2) No one shall be arbitrarily deprived of his property.

Article 18. Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.

Article 19. Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.

Article 20. (1) Everyone has the right to freedom of peaceful assembly and association.

(2) No one may be compelled to belong to an association.

Article 21. (1) Everyone has the right to take part in the government of his country, directly or through freely chosen representatives.

(2) Everyone has the right of equal access to public service in his country.

(3) The will of the people shall be the basis of the authority of government; this will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures.

Article 22. Everyone, as a member of society, has the right to social security and is entitled to realization, through national effort and international co-operation and in accordance with the organization and resources of each State, of the economic, social and cultural rights indispensable for his dignity and the free development of his personality.

Article 23. (1) Everyone has the right to work, to free choice of employment, to just and favourable conditions of work and to protection against unemployment.

(2) Everyone, without any discrimination, has the right to equal pay for equal work.

(3) Everyone who works has the right to just and favourable remuneration ensuring for himself and his family an existence worthy of human dignity, and supplemented, if necessary, by other means of social protection.

(4) Everyone has the right to form and to join trade unions for the protection of his interests.

Article 24. Everyone has the right to rest and leisure, including reasonable limitation of working hours and periodic holidays with pay.

Article 25. (1) Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.

(2) Motherhood and childhood are entitled to special care and assistance. All children, whether born in or out of wedlock, shall enjoy the same social protection.

Article 26. (1) Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit.

(2) Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace.

(3) Parents have a prior right to choose the kind of education that shall be given to their children.

Article 27. (1) Everyone has the right freely to participate in the cultural life of the community, to enjoy the arts and to share in scientific advancement and its benefits.

(2) Everyone has the right to the protection of the moral and material interests resulting from any scientific, literary or artistic production of which he is the author.

Article 28. Everyone is entitled to a social and international order in which the rights and freedoms set forth in this Declaration can be fully realized.

Article 29. (1) Everyone has duties to the community in which alone the free and full development of his personality is possible.

(2) In the exercise of his rights and freedoms, everyone shall be subject only to such limitations as are determined by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society.

(3) These rights and freedoms may in no case be exercised contrary to the purposes and principles of the United Nations.

Article 30. Nothing in this Declaration may be interpreted as implying for any State, group or person any right to engage in any activity or to perform any act aimed at the destruction of any of the rights and freedoms set forth herein.

BOARD OF DIRECTORS SPEAHR (International)

Ch'en Chu (prisoner of
conscience, Taiwan)
Rene Goldman (Chinese specialist,
University of British Columbia)
Kawakubo Kimio (Economist,
Osaka University)
Miyazaki Shigeki (legal scholar,
Meiji University)
Murakoshi Sueo (Research Center,
Buraku Liberation League, Japan)
James D. Seymour (political scientist,
New York University)

BOARD OF DIRECTORS SPEAHR/USA

Henry H. Han (political scientist,
Central Michigan University)
James P. Harrison (historian, City Uni-
versity of New York/Hunter College)
Mab Huang (political scientist, State
University of New York/Oswego)
James D. Seymour (political scientist,
New York University)
Roxane Witke (historian, New York)
Jean Woo (consultant, New York)

BOARD OF ADVISORS

Derk Bodde (Historian)
William J. Butler (International
Commission of Jurists)
Ramsey Clark (Lawyer)
Chen Jo-hsi (Author)
James Finn (Editor, *Worldview*)
Jerrold Fisher (Composer/conductor)
Robert Leuze (Opera singer)
James P. Harrison (Historian)
Bruce Reynolds (Economist)
George Wald (Nobel laureate biologist)
William Wipfler (Director, Human Rights
Office, National Council of Churches)
Herschel Webb (Historian)
Tso Wong (Author)

In addition to the
indicated authors, this
issue of *SPEAHRhead* is
the work of Elizabeth
Berseth, Calvero, Tina
Chang, David Eisner,
Charlie Haigh, Richard
Kagan, Timothy Ross,
Linda Arrigo Shih, Herb
Thomas, Lu Wang, and
Lee Young.

Ch'en Chu's Final Statement

*The following was spoken by Ch'en Chu at the
end of the trial of the Kaohsiung Eight on March 28
in Taiwan. Ms. Ch'en subsequently received a
twelve-year sentence, which she is now serving. She
is a member of the SPEAHR/International Board
of Directors.*

Honorable Judge: This defendant was born and grew up on a farm
in I-Lan. All of the older generation—my parents, relatives, and
their friends of the same age—have had no understanding of such
institutions as courts. Today I stand indicted as a “seditious rebel.”
Conviction can mean death. This is very upsetting.

What I am, at the very worst, is a most enthusiastic human rights
worker. My opinion is that the future of Taiwan should be
determined by the seventeen million people in Taiwan. I have
endeavored to promote Taiwan's international position of
independence. If this is against the nation's system of justice, I
confess my mistake and my lack of knowledge and judgment.
However, how can people of a democratic country exercise their
rights if their concern and discussion of the destiny and future of
their own country is considered rebellious?

In the thirty years of my life, I have spent the best decade
upholding the non-partisan position, and striving for a more
progressive democratic policy. For these ten years, I have devoted
myself to grass-roots work. My friends all know I am not, and will
never be, interested in having political power. There is only one goal
I want to pursue, and that is to advocate humanism and individual
rights. I love and sympathize with all the suffering people.

In the past two years, I have been arrested twice. No one can
understand how much pain I have suffered as a result. . . .

My lawyer will state my legal defense. In the Kaohsiung Rally I
took the responsibility of planning the speeches, but did not expect
the unfortunate incident to happen. I cannot tolerate bloodshed,
and what happened that night makes my heart ache. I am very
concerned about the soldiers and police who were wounded. They
weigh heavily in my heart.

As for this trial, I care no longer about victory or defeat. Only
my political conscience obliges me to say these last words. I have no
hatred. I just hope and pray that there will never be another tragedy
like this one.

SPEAHRhead is edited by SPEAHR (International) and published quarterly
in New York by SPEAHR/USA. Except for editorials, opinions expressed reflect
the views of individual authors or original sources only.

This bulletin is not copyrighted. Permission to quote or reprint is granted,
provided that (1) material has not been otherwise copyrighted (as, for example,
by a contributing author); (2) *SPEAHRhead* is acknowledged as source, with
our mail address indicated; and (3) remarks are not taken out of context in a
distorted or unbalanced manner.

We are pleased to receive articles and information. Materials will not be re-
turned unless U.S. postage and an address label are provided.

LETTERS: The Kaohsiung Incident

The author of the following letter is Representative (virtual ambassador) from the Republic of China (Taiwan) to the United States.

To the Editor:

The editorial in *SPEAHRhead* 4/5 captioned "Opposition Leadership Held Captive by KMT" contains many misrepresentations which oblige me to correct them.

The most glaring one, of course, is the false charge that the "Nationalist Party or Kuomintang has used the Kaohsiung Incident as an excuse to imprison virtually all of the opposition leaders, including some who had little or nothing to do with the incident."

The fact of the matter is that the riot was organized by a small group of malcontents under the guise of a "world human rights rally" to instigate open violence for the overthrow of our Government on Taiwan. The rally was approved but the march was prohibited. The perpetrators violated their own pledge and charged against our unarmed policemen, sending 182 of them to the hospital. After an open trial in a military court according to the due process of law, 8 ringleaders were found guilty on April 17 this year and were sentenced to various prison terms. Courts in other free countries would surely have rendered more or less the same verdict against these culprits.

As to *Formosa* magazine, it was popularly known that this publication was utilized by these people as a cover to incite subversive activities. It was also used as a channel for maintaining contacts with the so-called Taiwan independence movement in the United States, which has declared itself to be responsible for attacking with explosive devices our government offices in Washington and other major U.S. cities.

With regard to the picture captioned "Who are the aggressors?" which appeared on page 48 of your publication, I wish to point out that it was taken on a broad street and not at the rallying place. The vehicles in motion were operated by the aggressive demonstrators and our security forces lined abreast instead of in column clearly showed no sign at all of violence against them.

I may add that my Government has continued in past years to take effective steps in upholding freedom and democracy in Taiwan. The incident in Kaohsiung, serious as it was, has not weakened our determination to exert our utmost efforts in building a prosperous and egalitarian society in our country.

I hope that *SPEAHRhead* will be fair enough to carry this letter as well as the original photo in its next issue.

8 May 1980

Konsin C. Shah

A copy of the photograph is available on request from SPEAHR.

• • •

The author of the following letter is associate professor of Chinese at the University of Victoria, British Columbia.

To the Editor:

... The editorial is well researched, balanced, and is indeed an excellent piece of work. ...

Concerning the number of persons injured during the

Kaohsiung incident on 10 December, the figures have undergone a process of magical transformation in Taiwan.

A. A mysterious decrease in the number of injured civilians:

1. According to the *Min-chung jih-pao* (People's Daily News), December 11, nine civilians were injured. Five of them were treated in Tatung Hospital, and the remaining four in other hospitals.

2. A similar report appears in the *Tai-wan shih-pao* (Taiwan Daily), December 11.

3. Half a day later, the *Tzu-li wan-pao* (Self-Reliance Evening Paper), December 11, reported that 92 civilians were injured.

4. Li Wei-ch'iao, Police Chief of Kaohsiung City, announced on December 11 that more than 80 civilians were injured.

5. However, on the same day, K'ung Ling-ch'eng, Director of the Provincial Police Department, announced to the surprise of everybody that only one civilian was injured.

6. Most of the other official and unofficial media adopted Director K'ung's version of December 11. Since then, this has become the standard figure. Even the three newspapers cited above have quietly given up their earlier figures (without giving a convincing explanation).

B. An incredible exaggeration of the number of injured riot police:

1. At 12:10 p.m., December 11, Lieutenant-General Ch'ang Ch'ih-hsiu, Commander of South Taiwan Garrison Command, announced that 16 policemen (including military and regular police) were injured. Around 2:00 a.m., he revised the figure to 40 instead of 16.

2. The *Chung-kuo shih-pao* (China Times), December 11, reported that 11 regular policemen and 29 military policemen (altogether 40) were injured. This figure was also adopted by most of the media, including the official *Chung-yang jih-pao* (Central Daily) on the same day.

3. On December 11, Li Wei-ch'iao, Police Chief of Kaohsiung, announced that 82 civilians and 57 policemen (altogether 139) were injured.

4. Ch'iu Hsi-yu, on behalf of the Minister of Interior, went to Kaohsiung to visit injured police on December 11. He confirmed that 57 policemen (regular and military) were injured.

5. Later the same day the Department of Political Warfare of the Ministry of Defense claimed that 139 regular and military policemen were injured.

6. Later the same day, Director K'ung of the Provincial Police Department further claimed that 139 military policemen and 43 regular policemen (altogether 182) were injured, while only one civilian was injured. This version has become the standard official story.

7. All the media (including official, semi-official, and non-official) carried the official (K'ung's) version on December 12, 1979. Since then, until March 1, 1980, none of the media had questioned or challenged the reliability of the magical figures in

PRISONER PROFILE

"Nativist" Writer Wang T'o

"Wang T'o" is the pen name of Wang Hung-chiu. Like Yang Ch'ing-ch'ü (on whom see *SPEAHR* head 4/5, page 11), Wang T'o can be considered to belong to the *hsiang-t'u*, or "nativist" literary school. This group seeks to identify with Taiwan's poor and working class, opposes what it sees as Western cultural and economic imperialism, and does not promote Taiwan's autonomy from the Chinese mainland. Thus, *hsiang-t'u* writers are considerably to the political left of most Taiwanese. In support of their views, they are fond of citing the more revolutionary writings of Sun Yat-sen and Chiang Kai-shek.

Wang T'o was born in 1944 in the small fishing village of Pa-tou-tzu in northern Taiwan. His published works include a book of criticism, *Chang Ai-ling and Sung Chiang*, and *Chin-shui sao* (Old lady Chin-shui). The latter is a collection of rather grim short stories, realistic in style, which portray the poverty of his native village.

An editor of *Formosa*, Wang was master of ceremonies at the December 10 human rights rally held in Kaohsiung which the magazine sponsored. Although he urged restraint and

calm, the affair erupted in violence and Wang was one of those held responsible. On May 26 he was sentenced to six years imprisonment.



Wang T'o with SPEAHR/International director Ch'en Chu (see page 3). The two are both currently serving prison terms in Taiwan for their criticism of the Chinese Nationalists.

this version. Apparently, all the publishers and editors had received "friendly" advice from the authorities.

8. When James Soong, Director of the Government Information Office, launched an international propaganda campaign in January and February 1980, he alleged that all the 183 injured were policemen, and that none of the civilians were injured.

It is not easy for us to establish the exact number of injured persons. What we can say is that items A. 1, 2, and B. 1, 2 are substantiated by names of most of the injured, and that the standard official version (A. 5 and B. 6) is not substantiated by anything at all. The non-partisan observers in Taiwan regard items A. 1-4 and B. 1-4 as relatively reliable, and items A. 5 and B. 5-8 as incredible exaggerations. The only existing non-partisan magazine, *Ya-chou jen* (The Asian Monthly) Vol. 1, No. 2 (March 1980) p. 5, publicly challenged, for the first time, the standard official version on March 1, 1980. It remains to be seen how the authorities will explain the difficulties surround-

ing the official version. Unfortunately, some China and Taiwan experts, who do not have access to the primary source materials published or announced on December 11, have accepted the official propaganda without reservation.

I admire the author of the editorial mentioned earlier. He intelligently questions the reliability of the propaganda put forward by the Republic of China. I also would like to express my gratitude to you for your magnificent work for the advancement of the cause of human rights. . . .

26 March 1980

Harry H. Hsiao

Editor's note: The U.S. State Department now says that only "several" police were injured. (Assistant Secretary of State Richard Holbrooke, Congressional testimony, 11 June 1980.)

For new photographs of the Kaohsiung incident, see page 25.

Religious Leaders Tried in Taiwan

By JAMES M. PHILLIPS

The author of the following report was one of the very few foreigners permitted to observe the May 16 trial of ten Taiwanese accused of aiding fugitive Shih Ming-teh. Among the defendants was the Reverend Kao Chun-ming, General Secretary of the Presbyterian Church in Taiwan. All were subsequently found guilty, and were given prison sentences ranging from two years to (in Kao's case) seven years.

James M. Phillips is Visiting Professor at San Francisco Theological Seminary. At the trial he was representing the World Alliance of Reformed Churches.

It was early morning on May 16, as two taxis sped through the traffic of Taipei under grey skies. They went past the newly dedicated Memorial Hall where a statue of the late President Chiang Kai-shek sits enthroned, and headed south on Franklin Delano Roosevelt Boulevard to a nondescript group of buildings in the southern part of the city where the Ching-mei Military Court is situated. The passengers got out of their taxis, presented their identification papers at the court's reception building, and were given red tags stamped with the symbol of the balance scale of justice.

Minutes later they walked down the road of the military compound and were ushered into the courtroom building. It is a plain, one-storied building, in which the courtroom itself is about 50 feet wide and 130 feet long, and divided into three sections. In the front, under a portrait of Chiang Kai-shek surrounded by two ROC flags was the raised bench, behind which were the seats for the court's three judges in the center, as well as for the prosecutor to the audience's right, and for the court recorder to the left. Below the bench on the floor level were tables and chairs for the defense attorneys and the witness stand in the center. In the middle portion of the room were tables and chairs for reporters, about 35 of whom turned up for this well-publicized but hurriedly-announced trial. In the back third of the room were numbered chairs for observers, about 42 of whom were admitted, while others were turned away.

The whole compound was patrolled by military police in brown uniforms and white helmets. Throughout the trial there were about 10 MPs posted throughout the courtroom, while an equal number patrolled immediately outside. When the appointed hour of 8:30 a.m. came, an MP barked an order for all to stand, as the judges entered the court. Then a group of MPs brought in the prisoners, ten in all, who stood at the front of the courtroom while news photographers flashed their pictures of the prisoners, their attorneys, and the observers. When the allotted time for picture taking was over, the photographers were sent out and the court again came to

order. The announcement was read that the court was in session.

Among the defendants, the most prominent was the Reverend Kao Chun-ming, General Secretary of the Presbyterian Church in Taiwan. The military prosecution charged that Kao and the nine other defendants were guilty of harboring, or helping, or failing to report a man named Shih Ming-teh when he was being sought by the police on sedition charges, after the disturbances in Kaohsiung in December 1979.¹ The details of how Shih had been moved from place to place during his hiding until his eventual arrest were given in the indictment read by the prosecutor. The judge then ordered that the trial should proceed. Thus began one of the most significant trials in Taiwan's recent history.

The Background of the Trial

After the end of World War II, the political status of Taiwan was very unsettled. Steps were taken toward some sort of autonomous status for the island immediately after the end of the Japanese control, but these efforts were brutally crushed in 1947 by a Nationalist Chinese military commander who came to Taiwan to take control for the Kuomintang government of Generalissimo Chiang Kai-shek on the mainland. Following the defeat of the Nationalists at the hands of the Chinese Communists in 1949, the Nationalist government itself moved to Taiwan. In the uneasy years that followed, the 85 percent of the island's population of Taiwanese background were dominated by the 15 percent mainland Chinese, who took over all of the chief posts in the government, business, and society in general. Still claiming to be the government of all of China, the Kuomintang maintained itself in power by a regime of martial law, while promising an imminent return to the mainland. Criticism of government policies and actions was strictly forbidden, and the people of the island were expected to be content with the modest but steady growth in the island's economic prosperity.

The Nationalist government came to control virtually all

Announcing an important new book from the Human Rights Publishing Group:

Edited by: James D. Seymour
Professor, New York University
President, Society for the Protection of East Asians'
Human Rights (SPEAHR)

Introduction by: Mab Huang,
Professor, State University of New York (Oswego),
and
James D. Seymour



THE FIFTH MODERNIZATION

China's Human Rights Movement, 1978-1979

Following the death of Mao Zedong in 1976, China's new leaders embarked on a four-fold program of economic modernization. While this met with widespread approval, there nonetheless arose a cry for a "fifth modernization," namely, political modernization based upon democratic principles and respect for human rights.

During the winter of 1978-79 the People's Republic of China experienced a political "thaw" which enabled people to express themselves in a way which had not been possible for decades, and for a period of five months, China presented to the world a startling spectacle: tens of thousands marching in numerous cities demanding democracy, civil liberties, jobs and food. One theme dominated—*human rights*. Although individuals had views on this or that political or social issue, most were preoccupied with an overriding concern with the basics of how a democracy should operate, rather than the specifics of political, social, and economic policies.

A crucial factor in this ferment was the written word, in the form of unofficial publications as well as the now-famous wall posters, which appeared in public squares across China from the great eastern cities to Lhasa in Tibet. Some told horrendous stories of arbitrary use and abuse of power, of frustration, of suffering. Then suddenly,

the movement was repressed.

For this volume, the editor has selected several dozen documents from China's democratic movement, drawn from such publications as *Peking Spring*, *Enlightenment*, *Human Rights*, *Exploration*, *April 5 Forum*, and various posters. Mab Huang and James Seymour have added a lengthy introduction placing the movement in historical context and analyzing the movement itself. Each selection is preceded by a short analysis by Professor Seymour.

THE FIFTH MODERNIZATION will be of inestimable value to academics and researchers. The material is as vital and exciting as today's news and will fascinate the general reader.

CONTENTS: *Launching the Movement, On Democratic Reforms, On Civil Liberties, On the Legal System, Philosophy of History, On Class Struggle, On Equality, On Managing the Economy, Daily Life, On China's Leaders, China's Gulag, Appeal to America, The Question of Taiwan, The Crackdown, Poetry of the Democratic Movement. Appendix: Organizations and Periodicals, Suggested Reading, Related Documents, Index.*

ISBN: 0-930576-38-1
312 pages

1980
\$15.00

Earl M. Coleman Enterprises, Inc., Publishers, P.O. Box 143, Pine Plains, New York 12567.

aspects of life in Taiwan. But one group on the island managed to retain a measure of the autonomy which it had safeguarded from a previous era. This was the Presbyterian Church in Taiwan, which had been founded in 1865. With nearly 200,000 members, this church for a long time was essentially the only organization in the island which reflected the views of the Taiwanese. This church body began to speak out ever more clearly when in the 1970s the fortunes of the Nationalist regime waned, and even the long-standing support of the United States began to falter after President Nixon announced his decision to visit People's China. It was then that the Presbyterian Church in Taiwan began to speak out for the Taiwanese people. In December 1971 the church issued a "Statement on Our National Fate," passed by the church's General Assembly and signed by its newly-installed General Secretary, the Rev. Kao Chun-ming. This was followed in November 1975 by "Our Appeal," and in August 1977 by the church's "Declaration on Human Rights." Each of these statements enraged the Nationalist authorities, but after numerous efforts by pro-government groups to get the church to disavow these statements and to get rid of General Secretary Kao who was responsible for their implementation, the Taiwanese Presbyterians continued to support Kao and the policies which called for the restoration of human rights to the people of Taiwan.

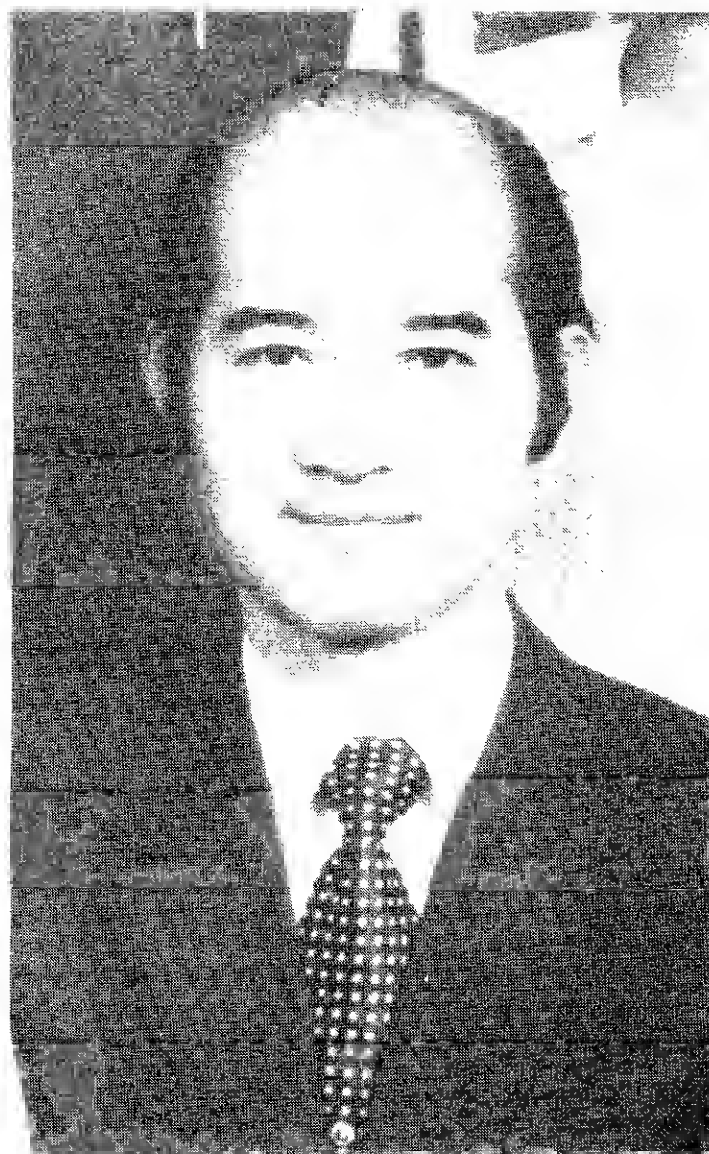
By now there were other groups which echoed the concerns of these Taiwan Presbyterians in defense of human rights. From time to time, government pressures slackened up a bit, and it was possible for magazines to be published that contained articles favoring the abrogation of martial law and the implementation of the Constitution of the land. But in the late 1950s and in the mid- and late-1960s, such magazines were often ordered suspended after a few issues, and their editors given long prison terms. It was a wonder that courageous editors were willing to put out such publications, but occasionally they did. In the mid-1970s *Taiwan Political Review* appeared, but was shut down after about six issues. And then in 1979, in the midst of another thaw, a magazine *Formosa* began publication, and its circulation rose to about 100,000 in a short time. This magazine called for the peaceful implementation of human rights policies, and to that end sponsored human rights rallies in various places throughout the island.

On 10 December 1979, one such rally was called in the southern city of Kaohsiung. Under martial law, permission for such large meetings must be secured beforehand, and for a long time the government withheld such permission. At length, however, oral permission was said to have been granted for the rally. But no meeting place was approved, and hence those who gathered in Kaohsiung on that fateful day had to meet in a public square. There they were surrounded by police, and when tear gas was released, the peaceful rally was turned into pandemonium. In the subsequent confusion and fighting, 183 police were reported injured, as well as an undisclosed number of rally participants. Two days later, the police shut down *Formosa* magazine, and arrested 61 people connected with the Kaohsiung incident.

Some of those arrested were later released, but in February 1980, those still detained were divided into two categories: eight were accused of sedition, and were tried under martial law by a military court on March 18-27; 32 others were accused of the civil crimes of violence against law officers and of disorderly conduct, and the date of their trial in a civil court has been announced for May 21.² The difference between the two kinds of courts and legal procedures to be

followed is crucial: martial law in the military courts is much more severe, has less chance of being reviewed by other judicial authorities, operates without the possibility of appeal to higher courts, and has much heavier penalties for those judged guilty.

Of the first eight defendants in the more severe category of charges was a Mr. Shih Ming-teh, who escaped when the police went to arrest him on December 13, 1979. (Shih was later arrested, tried with seven others in March, and sentenced to life imprisonment.) According to the indictment for the May 16 trial by the military prosecutor, Shih went to the residence of his friend Lin Shu-chih, who was unwilling to shelter him but who took him to meet Chao Chen-erh, who also refused. Then Lin and Chao took Shih by taxi to the home of the Rev. Wu Wen, a Lutheran pastor in Taipei, who let Shih stay at his



Rev. Kao Chun-ming, general secretary of the Taiwan Presbyterian church. The highly-respected theologian has been sentenced by the Chinese Nationalists to seven years imprisonment.

house until December 15th. The indictment for the May 16 trial described the next series of events in this way:

At about 9 a.m. Dec. 14, Chao, at the demand of Shih, went to meet confidentially Kao Chun-ming, secretary general of the headquarters of the Presbyterian Church. Chao conveyed three things to Kao as demanded by Shih. The three were: 1), to utilize foreign relations to free all those arrested; 2), to arrange for a place to harbor Shih, and 3), to contact foreigners to smuggle Shih out of Taiwan.

Kao promised to contact the foreign assistance. [In his May 16 trial testimony, Kao denied that he ever promised 1) or 3) above, in regard to foreign assistance, but he freely admitted that he tried to arrange for a place for Shih to hide, until Shih would voluntarily turn himself in to the authorities. The other two charges about foreign assistance are highly significant, however, for in the March 18 trial of the *Formosa* magazine defendants, the prosecutor repeatedly charged that the accused sought to utilize foreign contacts against Taiwan's national interests.]

He [Kao] sent his secretary Shih Jui-yun to invite Lin Wen-chen to the headquarters of his church and discuss with him whether to harbor Shih. It was decided to do so and Lin would arrange a hiding place for Shih. . .

On Dec. 26, Kao assigned Shih Jui-yun to bring dental medicine obtained from Chang Wen-ying to Shih Ming-teh. . . Chang came to Hsu's residence several times to conduct dental and plastic surgery for Shih Ming-teh. [Ms. Chang, a dentist, later testified that she performed dental surgery on Shih, but denied performing any plastic surgery — purportedly to help him escape detection and possibly to leave the country.] . . .

Kao Chun-ming, Lin Wen-chen, Wu Wen and Hsu Chin-fu have violated the seventh provision of the first item under the fourth clause of the regulations governing crimes of rebellion, which deals with crimes of hiding rebels. . . .³

Thus, some people have maintained, the government had finally been able to trap Rev. Kao as one who had consistently spoken out on behalf of human rights, and whose leadership in the Presbyterian Church of Taiwan was attracting a wide measure of public esteem, even as it brought down upon him the wrath of the authorities.

A Taiwanese by birth and heritage, Kao was graduated from Tainan Theological College and was ordained a pastor in the Presbyterian Church of Taiwan. He was so gifted and came from such a distinguished family that he might have become the pastor of a flourishing city church, but he chose instead to

The government, say some, had finally been able to trap Reverend Kao, who had consistently spoken out on behalf of human rights.

serve as an itinerant pastor in the mountain areas of the island. Then he was called to be a teacher and then principal of the Yushan Theological College, before he was elected in 1970 as the church's General Secretary.

Kao is known as a man of deep personal piety and devout prayer. A family man with a wife, two daughters and a son, he provided a style of quiet, devoted, and courageous leadership that won the confidence of the church, especially in the difficult era of its relations with the government following the December 1971 "Statement on Our National Fate." Despite strong pressures from governmental agents and from some within the Presbyterian Church to disavow Kao, the church's

U.S. Church Response

On June 3, the United Presbyterian General Assembly, meeting in Detroit, expressed confidence in the integrity and leadership of Kao Chun-ming. The American church also expressed its "respect for and solidarity with the Presbyterian Church in Taiwan and its leadership for its innovative evangelistic outreach . . . and its courageous nonviolent affirmation of the God-given rights of all people of Taiwan." The Taiwan government was urged to review the case with a view to releasing Kao and others involved in the case.

General Assembly at its annual meeting on 28-31 March 1978 renewed its confidence in Rev. Kao's leadership by electing him to a further term (1979-82) by a vote of 255-49.⁴

Thus it had become clear that the Chinese Nationalist government was unable to bring pressures on the Presbyterian Church in Taiwan to dislodge through church action the general secretary who had been so courageous in his post. As long as Kao stayed, the Presbyterian Church would continue its outspoken role as the only organization in Taiwan independent from government control, and thus able to speak out on such vexed issues as human rights and the future status of Taiwan. The Nationalist government's carefully-fostered image of Taiwan as a bastion of democracy and freedom in East Asia would continue to be jeopardized by the statements of an independent church body which would point out glaring exceptions to these frequently professed ideals.

At its annual General Assembly in April 1980, the Presbyterian Church in Taiwan even took the bold step of reactivating its membership in the World Council of Churches, from which it had withdrawn in 1970 under government pressure. The reason for such pressure was that with its member churches from the Soviet Union and other socialist countries, the WCC was considered by its critics in the government and elsewhere as a "hotbed of Communism," and some of the actions of WCC groups did not square with the Kuomintang's anti-Communist policies. The ecumenical relationships of the Presbyterian Church of Taiwan continued with various groups in Asia, and with the World Alliance of Reformed Churches. This latter body is the oldest association of Protestant churches of the same confession, founded in 1875 and currently with 145 member churches and over 70 million members. When the Presbyterian Church in Taiwan began to encounter problems with the government in the 1970s, the WCC was out of reach, and hence the World Alliance of Reformed Churches kept in touch. Several times in recent years, the Alliance has sent delegations and observers to Taiwan, and most recently for the May 16 trial.

In any event, it appeared that by prosecuting Kao Chun-ming and his co-defendants for their roles in harboring and assisting a fugitive from the authorities, the Nationalist government had at last found an occasion whereby one of its most outspoken critics might be removed from the scene. Thus

the government might hope that the church, deprived of Rev. Kao's leadership, might become docile, silent, and obedient to governmental policies.

The Course of the Trial

After the prosecutor had finished reading the trial's indictment, one of the defense attorneys raised two questions about that indictment for the court: (1) Should not these defendants be tried in a civil court, instead of in a military court? To try civilians in such a way in a military court goes against their constitutional rights, and the indictment says nothing about this. (2) Is it not incorrect to accuse these defendants of sedition, since there is nothing in the indictment or in the known behavior of the defendants to indicate that they have ever had any motivation to overthrow the government?

These were very crucial questions, and their full import was to become clearer as the trial proceeded. The lawyer raised these questions intentionally, not expecting that the judge would be swayed by them, but for the sake of the defense, and for bringing into the open fundamental issues that would not otherwise be heard by the outside world.

As to the first query about the inappropriateness of trying the defendants in a military court, mention has already been made of the fact that there are no higher courts of appeal from a military court, and that the penalties for conviction of offenses under martial law are much more severe than for similar offenses under civil law. Furthermore, it has sometimes been said that in military courts the defendant is presumed to be guilty unless proven innocent, which is the opposite of the presumption of the Western common-law tradition. Although Taiwan's military law codes are said not to articulate such a presumption of guilt, military trials seem to have been conducted on that basis, and one observer reported that he has never heard of a verdict of "innocent" in a military trial.

Another important aspect of a military court is in the role assigned to the presiding judge. In the May 16th trial, the presiding judge remained calm, dignified, and unfailingly courteous to both witnesses and attorneys throughout the trial. But his role combined the functions of both judge and prosecutor, which are strictly separated in Western courts. Whereas the prosecutor sat alongside the judges behind the bench, he only spoke once during the proceedings, in response to attorneys' questions about the indictment. It was the presiding judge that summoned the defendants, one by one, and politely led them through their testimony. (It should be noted that because the defendants were brought into the courtroom one by one, they could not hear each other's initial testimony, nor was there any opportunity for cross-examination by the defense lawyers. In the afternoon session, all ten defendants were brought in together, and given the opportunity to respond to the court's summation of the proceedings.) From time to time, the presiding judge would refer to the voluminous books of the defendants' testimony which had been prepared by the investigation bureau. (There were two assistant judges, who said nothing publicly, but with whom the presiding judge occasionally conferred.) With a meticulous knowledge of the details of the case, the presiding judge referred defendants to transcripts of their previous testimony to investigators as culled from many books, marked by red slips for one defendant, blue for another, yellow for still another, and so on. With benefit of hindsight, it soon became clear what the judge was trying to do, in leading the defendants through the maze of evidence in the respective

record books. The crucial questioning in almost every case came down to something like this:

Judge: Did you know that Shih Ming-teh was wanted by the authorities?

Defendant: Yes.

Judge: Did you report Shih's whereabouts immediately to the authorities?

Defendant: No.

After these two questions and their answers, it was all over, for this was a military court, and it could get to these questions rather quickly. Furthermore, defendants' statements about the motivations for their conduct were beside the point in this trial, as we shall see, for the defendants were accused of sedition. This brings us to the defense attorney's second crucial question.

The defense attorney maintained that the defendants should not be accused of sedition, for nowhere in the indictment or in their conduct was there any allegation that the defendants had any notion at all of overthrowing the government. Now the penalty for harboring a fugitive from justice in a civil case can be two years' imprisonment, but in a military trial with sedition involved, the minimum sentence is ten years, and the maximum is the death penalty. The defense attorneys returned to this point several times, and it was in this connection that the prosecutor made his only major statement of the day. Anticipating the question, the prosecutor read from a prepared statement, to the effect that a sedition case is one involving a person who wants to overthrow the government, and the prosecutor indicated that Shih Ming-teh was such a person. (Statements by defendants and

There is nothing in the indictment or in the known behavior of the defendants to indicate that they ever intended to overthrow the government.

their attorneys that neither Shih nor any of the Kaohsiung Incident defendants had sought to overthrow the government were ignored by both the prosecutor and the presiding judge.) Then — according to the prosecutor — if anyone harbors or helps or fails to report a fugitive wanted for sedition, that person is also involved in sedition. To be sure, the defendants helped Shih in different ways, and this was the basis for their being put in three different categories of charges, with corresponding different penalties, for: 1) harboring the fugitive; 2) helping him; 3) failing to report him. Nevertheless, said the prosecutor, all the defendants are involved in this case of sedition. Several defendants have testified that the reasons they tried to hide Shih were due to their Christian faith and humanitarian concern, the prosecutor continued, but this does not change their responsibilities before the law.

Now it was becoming disturbingly clear why the charge of sedition was not only so harsh for the defendants but was also so difficult for them to defend themselves against: in the case

of sedition, extenuating circumstances or motivations are not considered by the court, as the prosecutor indicated. To explain what is involved here, the present writer introduces the classical example of how motivations affect the definition of an action. Ordinarily, breaking down the door of a neighbor's house and entering uninvited is a crime. But if a neighbor is sleeping in a burning house in the middle of the night, breaking down his door and entering to rescue him is no crime, but a commendable act. In a sedition case, however, the defendants' pleas for Christian or humanitarian motivations for Shih were considered irrelevant by the prosecutor and the presiding judge. They both said on several occasions that the case would be examined "in accordance with the law." But the defendants and their attorneys claimed that the law about sedition did not apply to their case. Under Taiwan law, sedition is defined as "an overt act with intent to destroy the organization of the State, seize State territory, by illegal means change the Constitution or overthrow the government. . . ." The defendants maintained, to no avail in this court, that no such acts were involved in their case, and in other cases related to theirs.

The Testimony of Rev. Kao

Most of the trial's testimony dealt with how the defendants harbored or helped Shih Ming-teh during his time in hiding, or how they failed to report him. It will not be possible to go into all of the details of Shih's movements and the defendants' actions in the scope of this paper, but instead, emphasis will be put on the testimony of the Rev. Kao Chun-ming, whose situation is of particular concern and relevance. But to understand Kao's testimony, it may be helpful first to indicate who all ten defendants were, in the order of their appearances in court:

- (1) Lin Shu-chih: Friend of Shih Ming-teh, and once a fellow-prisoner in Green Island prison. He was the first person Shih asked for refuge. He refused, but he and Chao (2) took Shih to Wu (3).
- (2) Chao Cheng-erh: Christian layman and clerk in the Taiwan Bible Society, who took Shih Ming-teh to Wu (3), and then asked Kao (4) for help.
- (3) Wu Wen: Lutheran pastor, who hid Shih Ming-teh from Dec. 13-15.
- (4) Kao Chun-ming: General Secretary of the Presbyterian Church in Taiwan, who asked his secretary, Ms. Shih (6) to find a hiding place for Shih Ming-teh and later sent dental supplies from Chang (7) to Shih through Ms. Shih.
- (5) Ms. Lin Wen-cheng: Dean of a Bible School, who hid Shih Ming-teh at her home, Dec. 15-28.
- (6) Ms. Shih Jui-yun: Secretary to Rev. Kao (4), who sought help from Ms. Lin (5) to find a hiding place for Shih Ming-teh, and who later assisted in getting dental care for him.
- (7) Ms. Chang Wen-ying: Dentist, who treated Shih Ming-teh. Also accused of performing plastic surgery to alter his appearance, which she denies.
- (8) Huang Chao-hui: Christian layman, who drove Shih Ming-teh in his car to the house of Ms. Lin (5).
- (9) Hsu Ching-fu: Businessman, who with his wife (10) hid Shih Ming-teh Dec. 28-Jan. 8.
- (10) Mrs. Hsu Chiang Chin-ying: Wife of Hsu (9), and his unwilling accomplice in hiding Shih Ming-teh.

As the defendants appeared for their testimony, all but one appeared to be in satisfactory physical condition, but there were rumors that they had been questioned for inordinately long times. (It has been alleged that in other cases witnesses have been questioned continuously for 80 to 100 hours; it was not possible to ascertain the facts for the May 16 defendants.) The exception was Ms. Shih (6), whose physical appearance seemed greatly strained, and who was told by the judge that because he had heard that her health was weak, she could be

seated for her testimony. She nevertheless remained standing.

The presiding judge politely questioned the defendants, who were able to reply without interruption and to make their own statements at stated times. Furthermore, the defense attorneys were able to make statements and submit documents to the court, even though the judge rarely responded to their questions. At the close of the trial, relatives of the defendants were able to make their statements to the court.

Let us turn to Rev. Kao's testimony. To begin with, the circumstances of his apprehension had been rather peculiar. The other nine defendants were arrested shortly after Shih's arrest on January 8, but Kao was not taken into custody until April 24, over three months later. (The reasons for the delay in arresting Kao were not explained during the trial. It was well known that the authorities were investigating Kao for some time, especially after his secretary, Ms. Shih had been arrested. His house had been under 24-hour police surveillance for some time. The indictment implied that Kao had masterminded the conspiracy to hide Shih, but Kao's own testimony and that of the other defendants indicated that while he was asked to give help to Shih by others, he did not take the initiative in hiding Shih.)

When Rev. Kao was led into the court, carrying a Bible in one hand, he stood before the judge in his customary slightly stiff demeanor, and proceeded to give his testimony in a clear,

Wu Wen: "The Gospel tells us that one should help the friend who comes at midnight asking for help."

loud voice. His appearance seemed to bear out the reports that he had not been mistreated during his confinement, whatever may have been the rumors about some of the other defendants. The judge asked the usual questions about his family members, education, military service, and criminal record. It was noticeable that Kao is a graduate of Tainan Theological College, as also are Chao, Wu, Ms. Lin, and Huang. The statements of the Presiding Judge and of Rev. Kao are given below only in brief summary form, with editorial comments by the writer in parentheses.

Judge: Did you ask Ms. Lin to hide Shih?

Kao: I asked her to think about it. (As it turned out, the hiding place that Ms. Lin first considered at I-lan proved to be unsatisfactory, so that she took him to her own place, without consulting Rev. Kao. Hence an attorney for Rev. Kao later made a lengthy prepared statement in court, to the effect that there is legal question as to whether Kao was actually responsible for Shih's hiding. If the lawyer's viewpoint is correct, then Kao would only be guilty of failure to report a fugitive.)

Judge: Did you know that Shih was involved in a sedition case?

Kao: After Shih was in Ms. Lin's house, I knew.

Judge: Why did you ask Ms. Lin to think about this?

Kao: Mr. Chao came to see me. At first I thought Chao wanted me to find a place for two other people (who were not fugitives), but he mentioned Shih also, whom I did not know, but only saw once in a restaurant. (There followed a discussion between the Judge and Kao as to whether Chao came on Dec. 14 or 15, in the morning or the afternoon, and Kao said he did not recall precisely when it was.)

Judge: Why did Chao come to you?

Kao: I was surprised when he told me about Shih. I didn't know Shih, but in Christian faith I wanted to help him. I asked my secretary,

Ms. Shih [no relation to the fugitive Shih], to ask Ms. Lin to come to my place, which she did. I told Ms. Lin that to help Shih was dangerous, but she said that out of love, she'd think about it. In the afternoon, Ms. Lin came to my place and said that there was a place in I-lan where Shih could go. I said that this would be a great bother to her, and that I was sorry for that. (As it turned out, I-lan proved to be too far away, and Ms. Lin took Shih to her own house instead.)

Judge: Afterwards, did Ms. Lin tell you that Shih was at her place?

Kao: Several days later, my secretary told me that Shih was at Ms. Lin's place.

Judge: Was Ms. Chang there then?

Kao: I don't remember.

Judge: Did you use the church's name to ask American congressmen and others to seek release of the *Formosa* defendants?

Kao: I don't recall any such thing. I don't deny that Mr. Chao asked me to do that, but I don't recall that at all. (The judge had portions of Chao's testimony about his conversation with Kao read, and Kao replied that he didn't recall that any portion of the conversation had dealt with seeking foreign help.)

Judge: When did you know that Shih was at Ms. Lin's place?

Kao: On December 17, when my secretary told me.

Judge: When Chao came to see you about a hiding place for Shih, why — based on your Christian faith — didn't you accept him into your own place, but send him to Ms. Lin instead?

Kao (very firmly): Because my house is under watch 24 hours a day, and is not safe. I knew that Shih was wanted by the government, but in Christian faith and for human mercy, I did what I did.

Judge: Did you do anything else?

Kao: Ms. Chang brought me medicine to take to Shih.

Judge: Did you tell Chang where Shih was?

Kao: Maybe she knew that I knew.

Judge: What else did you do?

Kao: If you have any questions, please ask me.

Judge: Did you go to Ms. Lin's place to see Shih?

Kao: No.

Judge: Did you know when Shih left Ms. Lin's and went to Hsu's place?

Kao: I knew that Shih had left Lin's, but I didn't know where he had gone. (The Judge had Kao read the transcript of the Open Hearing, and Kao said that it was correct. The Judge also had read the list of things confiscated from Kao's home by the police: it includes several "illegal" magazines and some of Kao's notes. The Judge then returned to the matter of Kao's knowledge of Shih's whereabouts.)

Kao: I was so busy, I didn't pay attention to the details about Shih. I knew that he was wanted, but I didn't know the details.

Judge: Why didn't you report him?

Kao: I'll explain my views. I had seen Shih once, but didn't really know him. On December 14 when Chao asked me to find a place for Shih to hide, I was surprised, but based on Christian love and mercy, I thought about it. All people are created by God, and have dignity and

money is the root of all evils." Again there is laughter among the journalists.)

So the posting of the reward was not right. A Christian shouldn't sell one who has come to see him in need, in order to get money. I decided to sacrifice myself, but not to sell him. As a Christian, I am to find those who are lost, and to ask them to repent. (Kao then referred to the story of the Prodigal Son in Luke 15.) That's why I asked him to go to the police himself, when he knew he was wanted by them. He said he was afraid that if he went to the police, he would be executed. For myself, I hoped that the government would use civil courts for this case. The Kaohsiung Incident had been legal. Permission had been applied for, and participants fully intended to stay within the law.

Judge: (Interrupting) The Kaohsiung Incident is not the case at issue here.

Kao: But Shih's sentence was related to it.

Defense Attorney: Mr. Kao is explaining that he didn't think Shih was a man involved in sedition, and therefore it is appropriate that Mr. Kao should speak about this. (The Judge agrees, and Kao continues.)

Kao: If the *Formosa* people wanted to overthrow the government, that's something else. The court should evaluate the Kaohsiung Incident objectively, not subjectively. I didn't believe that that was a sedition case. The reason people reacted so strongly was in fear of the troops that were surrounding the place.

A defense attorney said that the court should consider: (1) Whether, according to the Christian faith, if a person in need sees a pastor, he should be reported to the police? (This was presumably an indirect reference to a pastor's right to confidentiality in the conduct of pastoral duties.) (2) Whether the motivation of the defendants in dealing with Shih was to help him, or to overthrow the government? The same attorney handed the judge a copy of theologians' opinions on such cases.

At this point, Kao's opening testimony was concluded, and he was led out of the courtroom.

Within the scope of this report, it is not possible to go into other details about the trial. The only exception will be to record some memorable testimony by Wu Wen. When Shih Ming-teh had first talked with Rev. Wu, who was a stranger to him, Shih was afraid that Wu might betray him for the reward money. Wu told him: "Don't worry, my Christian faith is stronger than two and a half million dollars!" When Shih heard this, he shed tears.⁵ In later court testimony, Wu explained his motivation in helping Shih. "The night when Shih came to me, it was winter, a cold and rainy night in December, and he didn't have adequate clothing. As a Christian, I couldn't reject him. . . . One can't reject such requests. The Gospel tells us about how one should help the friend who comes at midnight, asking for help. (Luke 11:5-8. As was the case with Kao's Biblical quotations, reporters laughed out loud at this Bible reading.) In the indictment, you can't read anything about our motivation. If someone asks me for bread, shall I give him a stone? (cf. Matt. 7:9) No, I can't. . . . When I was interrogated after my arrest, it was a very cold night, and the investigator gave me his jacket. Later he asked me why I was so stupid as to help Shih. I said, 'Just as you were stupid enough to give me your jacket!' . . . If mercy becomes sedition, then our society has no love!"

• • •

On the day after the trial, newspapers reported a gathering of over 2,000 representatives of religious groups in Taiwan at "A Solidarity and Self-Reliance Rally of Religious Leaders" in Taipei, to celebrate the second anniversary of the inauguration of President Chiang Ching-kuo. One paper said that the rally participants "vowed to discourage anyone who tries to take advantage of religion in hindering their work of disseminating religious doctrines and anti-Communism. They blamed those who dressed in clerical cloak and collar but engaged in the

How can the churches make their peace with martial law, particularly as it is practiced in the modern world?

human rights. In the Old Testament, God told the people to escape the city of destruction. I knew Shih didn't advocate violence, and based on Biblical teachings, I decided to help him. (Kao opens the Bible he has brought, and reads from: Matt. 11:28, "Come to me, all who labor and are heavy laden. . ."; Luke 4: 26-28, ". . . There were many lepers in Israel. . . and none of them was cleansed, but only Naaman, the Syrian"; Matt. 25:31-46, "And then the righteous will answer him, 'Lord, when did we see thee hungry. . .'" For such reasons, said Kao, I couldn't refuse to help him. As Kao read these passages, there was considerable snickering among the journalists. Kao then concluded by reading a passage that obliquely referred to the US \$70,000 reward for information leading to Shih's arrest, a reward that was ultimately paid to an undisclosed person or persons. Kao read 1 Tim. 6:10, "The love of

anti-government and anti-solidarity, self-reliance activities."⁶ Furthermore, numbers of printed attacks on Rev. Kao were distributed from unidentified sources even before the trial, and it may be assumed that such attacks will intensify hereafter.

Within the Presbyterian Church in Taiwan, however, support for Rev. Kao continues undiminished. On April 25, 1980, shortly after Kao's arrest, the Rev. C. K. Chang, Moderator of the church's General Assembly, issued an emergency pastoral letter to all of the congregations in the denomination, expressing admiration for Rev. Kao and calling on the churches to hold prayer meetings on his behalf. These prayer meetings have been continued weekly on Wednesday evenings, and together with other special gatherings in support of Mr. Kao have attracted numbers of concerned non-Christians. The denomination has also made it clear that Rev. Kao continues as general secretary of the church. An acting general secretary will serve in his absence.

The trial has raised a number of significant issues, not only for Taiwan but for other countries as well. Lest countries with an Anglo-Saxon tradition of law should too quickly condemn the shortcomings of martial law systems, it should be remembered that until the mid-seventeenth century England witnessed "Star Chamber" proceedings to deal with politically

"Though her portion
Be the Scaffold,
Yet 'tis truth
Alone is strong."

sensitive cases, and the United States under Pres. John Adams had its own experiences with "Alien and Sedition Laws." Indeed, developing countries throughout the Third World in recent years have frequently operated under martial law, while totalitarian regimes have readily discarded even the limited safeguards that military tribunals offer. For better or for worse, then, martial law in its various forms is not apt to "wither away" any time soon.

It becomes a fundamental question for contemporary Christians — and for others with concerns for human rights — as to how thoroughly and for how long the Christian Churches can make their peace with martial law, particularly as it is practiced in the modern world. The trial of the Rev. Kao Chun-ming would seem to indicate that while the churches can indeed endure under martial law and perhaps even grow stronger, there comes a time when Christians, in their loyalty to God and to humanity, are bound to have a parting of the ways with so-called "military justice." When Christians are brought before such tribunals by unjust means, it is not the Christians themselves but the very system of martial law that is on trial.

Such confrontations will be painful for Christians, particularly for those individuals who must bear the brunt of governmental wrath. But if there is truly to be hope for the troubled peoples of our world to live together in mutuality and not in fear, the path leading there must be built by the humble and courageous actions of Christians and others who

Back *SPEAHR*heads Available

No. 3 (Fall 1979). Partial contents:

- Editorial on South Korea
- Ali Lameda on North Korea
- Elections in China
- Tinley Akar on Tibet
- Hong Kong: Worrisome Signs
- U.S. State Department on
 - Japan
 - South Korea
 - Taiwan

No. 4/5 (Winter-Spring 1980). Partial contents:

- Eighteen Essays by China's Dissidents
- Cartoons from the Official PRC Press
- *Beijing Daily* on Torture
- Taiwan's Kaohsiung Incident
- Soviet Asian Minorities
- U.S. State Department on:
 - China
 - North Korea
 - Mongolia

Prices: No. 3 (28 pages): US\$2 (plus \$1 for foreign air mail); no. 4/5 (56 pages): \$4 (plus \$1.70 for foreign air mail). Only prepaid orders accepted. Send to P.O. Box 1212, New York, NY 10025, USA.

are willing to sacrifice for a more promising future.

On the evening of May 16, as Rev. Kao and his fellow defendants were marched out of the courtroom by the MP's, to be led through the darkness back to their prison cells, the words of James Russell Lowell's well-known hymn kept running through my mind:

Though the cause of evil prosper
Yet 'tis truth alone is strong;
Though her portion be the scaffold
And upon the throne be wrong. . . .

Thus far, the outlook for such a noble pastor and his fellow defendants has been gloomy indeed. But then, as the footsteps of the prisoners disappeared into the silence of the night, the rest of the hymn came back, ringing with a new affirmation:

Yet that scaffold sways the future
And, behind the dim unknown,
Standeth God within the shadow
Keeping watch above his own!

Notes

1. *China News*, 16m.
2. Cf. *Newsweek* (Asian edition), 28A.
3. *China Post*, 17m.
4. "Report of the Meeting of the Twenty-fifth General Assembly of the Presbyterian Church in Taiwan," p. 2.
5. *China Post*, 17m.
6. *China Post*, 18m.

CROSSREFERENCE

This section is comprised of items of information arranged according to Universal Declaration of Human Rights article number (see page 2), and broken down thereafter by country or territory. If no article of the Declaration is specifically relevant, we designate the category "00." If more than one article applies, our allocation may be arbitrary.

Inclusion of an item does not necessarily imply a judgment that a violation of human rights has actually taken place. For example, we include information on the use of capital punishment even in the cases of common-law* criminals (under 05), though the Declaration takes no clear position on whether or not such executions violate human rights.

As with other material appearing in SPEAHRhead, we present this information in the belief that it will be of interest to members, but we cannot always vouch for the validity of the allegations. Our sources (usually the official media of the country concerned) are indicated at the end of each item.

A key to abbreviations will be found inside the back cover.

00-C. Rights deprivation. China's *People's Daily* (141) carried an article by Xu Lisheng concerning the denial of counterrevolutionaries' political rights. Xu argued that rights deprivation is an appropriate penalty for those who "insult and libel another person" and even for among-the-people criminals. JR5074

02-C. Ethnic minorities comprise almost 5% of China's population, but "except for a few nationality areas, the proportion of minority cadres is lower than 3%, and there are few leading cadres, technical cadres and women cadres." So reports *People's Daily* (4+21F), which adds that minority cadres are often underemployed or figure-heads. The sentiment has been echoed by Beijing radio (20+21F), which called the number of minority cadres "far from sufficient." China's ethnic minorities are to be granted considerable economic freedom, and are to be exempted from many national policies.

Tibetans are the most striking beneficiaries of the new policies. *People's Daily* has acknowledged that there has been no notable improvement in the lives of Tibetans since 1966. But now, reports England's *The Economist* (12j), they are being granted a greater measure of economic freedom than any other part of China enjoys. Collective farmers are even to be exempted from all taxes, procurement quotas, and state planning. Private plots are to be expanded from the normal (approx. 6%) to 10% of a team's irrigated land. Han officials are being told that they will be largely replaced by local cadres; in the meantime they should learn the Tibetan language.

However, the authorities show no sign of acknowledging Tibetan nationhood. The titular governor of Tibet and vice-chairman of China's NPC, Ngapoi Nagawang Jigme, said that Tibetans and Chinese are linked "as flesh and blood" and would live together "forever as kith and kin." But he warned, "Whoever tries to undermine the unification of our country and the unity of all our nationalities runs counter to the Tibetan people's fundamental interests and will be firmly opposed by them." Ngapoi spoke at a Lhasa rally attended by 20,000 on June 7.

*The term "common law" is used on these pages in the sense of the first ("obsolete") meaning given in the *Oxford English Dictionary*: "The general law of a community, as opposed to local or personal customs." The "community" is taken to be the international community, and a "common-law crime" is an act which is deemed a crime in virtually all nations (acts of non-governmental non-consented violence, larceny, etc.). The essential distinction to be made (except when discussing torture, and perhaps capital punishment) is between convicted common-law criminals, and prisoners of conscience.

The **Dalai Lama** has been urged to return by new Tibet party head Yin Fatang, though only as a religious (non-political) personage. However, Losang Chicheng, vice chairman of the Tibetan regional government, said that Tibet would get along fine with or without the 44-year-old theocrat. Losang declined to promise that the Dalai Lama would be allowed to reside in Tibet (rather than in Beijing, as the Panchen Lama does), saying that this is a matter to be decided according to the needs of the state.

02-U. Tatars. The Third Session of the International Sakharov Hearings included testimony of Aishe Seytmuratova concerning the Crimean Tatars, who were forceably moved to Uzbekistan in 1944. They have not been permitted to return to their homeland, and Seytmuratova charged that the nationality now stands "on the edge of destruction."

04-C. Slavery. In China's Guizhou, two men were arrested in June and charged with having kidnapped at least nine women and selling them for more than US \$2,000, according to the provincial newspaper. NYT-11F

05-C. Prison conditions. AFP's Charles-Antoine de Nerciat visited and reported on a Beijing prison. The institution, located on Self-renewal Street near the Temple of Heaven, is reported to have the best conditions of any of China's prisons. The cells, which measure six by six meters, each accommodate 12 inmates. Prisoners work eight hours a day, and study for two hours. The monthly food allowance has been increased from 13 to 15 yuan. In addition, the men are given 2.5 yuan for soap, writing materials, etc. (Women receive 3 yuan.) South China Morning Post 13J

Torture. In 1978, six Qinghai Tibetans who had complained about official wrong-doing were tied up, forced to stand in the snow, "despicably humiliated" and beaten, according to an AFP report. Those responsible have now been sentenced to prison terms ranging from six months to three years. In another case (reported by *People's Daily* 1J), local officials in Jiangxi had tied up and beaten a whistle-blowing accountant. Disciplinary measures were taken against the perpetrators, but they were evidently not jailed.

As widely noted in the world press (e.g., NYT-31m), a Sierra Leone student was jailed and tortured in May near Beijing after allegedly having relations with at least two Chinese women. The treatment included beating with iron bars, and being burned by cigarettes. He was released after the intervention of the wife of his country's president, who was touring the PRC at the time.

Capital punishment continues to be practiced in China, at least in criminal cases. For example, Wang Shouxin, former Party secretary in Harbin, was executed for embezzlement (BJ29F†). *People's Daily*

has carried articles arguing the necessity to continue capital punishment (e.g. JR5457). However, Hua Guofeng has stated that the "Gang of Four" would not be sentenced to death (*HK Standard* 4J).

Altogether, 198 persons were officially reported executed during the 12 months ending 30 June (all apparently for non-political crimes), others doubtless met their ends without publicity. (In addition, many people—214 known cases—were sentenced to die, but were given reprieves.) Comments Jay Matthews of the *Washington Post* (5a), "the usual method of execution, a pistol shot in the back of the head of the kneeling victim, is reminiscent of the way thousands of friends and relatives of the current Communist Chinese leadership were killed by Nationalist officials during the civil war." Officials "appear to have ignored requirements for Supreme Court review of death sentences contained in China's new legal codes."

07-C. Equality. In the selection process for sending people abroad to study, does every Chinese stand the same chance? That they do not is suggested by the high number of offspring of officials studying in the United States. Deng Xiaoping's son is now at the University of Rochester (where, according to faculty reports, he is proving himself an excellent student). Deng's daughter also plans to study abroad. Huang Hua's son has been admitted to Harvard, and Bo Yibo's daughter is slated for Brandeis.

Labels. In Sichuan's Pengshan County (population: 270,000), undesirable labels are still borne by six "landlords," one "rich peasant," 11 "counterrevolutionaries," 11 "bad elements," and one "rightist." Since 1979 there have been 9 new cases, which, though "serious," do not entail "enemy-people contradictions." PD-8†21F

Cadre privilege. An article (apparently written in Hong Kong) entitled "Cadres' Privileges Seen from the People's Viewpoint" was submitted to *Guangming Daily* (Beijing). The newspaper rejected the piece "due to lack of space." The article, which called for a revival and democratization of people's congresses, finally appeared in Hong Kong's *Seventies* D79, and JR5074.

CANADA SPEAKS

Resolved: That this House express its concern at the violation of human rights in Taiwan and South Africa, condemn the oppressive system of apartheid in South Africa with all its abuses of human dignity, and express its hope for the fair treatment and release of Dr. Kao and other church leaders in Taiwan. ¶

—House of Commons

Unanimously passed, 11 June 1980

09-TW. Chang Hsueh-liang. One of the "kidnappers" of Chiang Kai-shek in the 1936 Xian Incident has apparently been released from virtual house arrest after 43 years. The "Young Marshal," now 81 years old, was originally given a ten-year sentence. He was eventually pardoned, but then kept under continuous close guard by plain-clothes security police (AW-2N). The release was hailed by the Hong Kong leftist newspaper *Wen Wei Pao*, which expressed the hope that Chang could return to the mainland for a visit. (16†31o).

10-C. Trial for Four. In June and July, several officials, including Deng Xiaoping, Li Xiannian and Wang Renzhong, confirmed that the "Gang of Four" are to be tried this autumn. It is said that the trial will be carried out according to "strict legality," although it will be closed to foreigners. According to Wang, the prosecution will have to assemble clear and conclusive proof; it is not the intention of the authorities to attribute crimes to them casually. It is expected that the defendants will be induced to plead guilty.

Various reports in *South China Morning Post*, *Hong Kong Standard*, and *NYT*.

Criminal trial. The Western press has reported on the trial of two accused bank robbers, which was observed by 450 ticket-holding spectators. The trial "showed both how far the Chinese have come from the dark days of the cultural Revolution and how the regime's idea of justice remains different from that in the West," according to the *N.Y. Times'* Fox Butterfield. "Under the new code of criminal procedure, the defense counsel has the right to try to prove his client innocent. But it has long been a tenet of Chinese law that the lawyer should confine himself to pleading for leniency and not try to win, beat down the prosecutor, or tie up the court with endless squabbles." Under the new criminal code, 95 percent of those arrested have been found guilty, according to the chief government prosecutor Huang Huoqing in a recent interview. In this trial, the judge pressured uncertain witnesses to identify the suspects. Witnesses were not cross-examined by defense lawyers. That the trial was following a pre-arranged scenario is suggested by the fact that the judge's 5:30 announcement about postponing the verdict was published in the *Beijing Evening News*, which went on sale at about 4:30. *South China Morning Post* 19J; *NYT* 18J

Immunity. *People's Daily* (6N79) carried a somewhat confused article by Chen Yiyun concerning the circumstances under which suspects are to be exempted from prosecution. "Exemption from prosecution is applicable under the following two conditions: First, the accused is indeed guilty of an offense and should be held criminally responsible. Second, the accused is not punishable for his offense or may be exempted from punishment. . . . Exemption may be granted if the accused is a would-be offender, . . . if a person exceeds the necessary limits in justifiable self-defense or in taking emergency action which causes unnecessary harm, [or] if a person voluntarily surrenders." †13N79

Appeals. *People's Daily* (4D79) carried an article by Kong Qingyun concerning the defendant's right of appeal. Because some sentences will be unjust, it is important that an appeal court be able to "check to see whether the original decision had been supported by correct facts and sufficient evidence, and whether the nature of the case was adequately defined, the sentence appropriate and the proceedings legitimate. It must look into not only what is mentioned



"Oh, yes, we do have freedom of speech. But what we don't have is freedom after speech."

—A Filipino cleric

in an appeal but also what is not."

11D79

The above article adds, "the law of criminal procedure states that the court hearing an appeal should not impose a more severe sentence on the accused." Thus, a defendant can exercise his right of appeal "without any misgivings." However, the *N.Y. Times* (18J) reports that a bank clerk had his sentence for robbery raised from two years to life imprisonment after he appealed the verdict. "Despite the government's efforts, there have been complaints from Chinese that the new laws are still not being followed and that Communist Party policy, rather than law, remains the guiding force."

12-C. Former emperor. Henry Pu Yi, who reigned as a child during the Qing Dynasty's twilight years, was posthumously rehabilitated in May. Pu Yi, who spent the 1950s undergoing labor reform, was first pardoned in 1959, but he was again subjected to abuse during the Cultural Revolution, and died in 1967. *Hong Kong Standard* 31m

13-C. Xiafang. Ten thousand higher cadres are being sent to the countryside this year to undergo rustication, as part of an effort to tighten discipline, combat "bourgeois liberalism," and stamp out factionalism. *NYT*-15m

Brain drain. According to the *Washington Post* (7j), "Chinese authorities have suddenly cut off private overseas travel by leading professors and intellectuals, apparently to halt a serious brain drain to the United States threatening China's modernization program." The ruling was effective May 1, and does not apply to people going abroad under government-sponsored exchanges (which accounts for about half of the total). According to one unnamed Beijing professor, "The problem, of course, is that the government fears that many of these people will never come back."

Refugees. People who fled Vietnam for China and have remained there for six months are not considered refugees by the international community. They thus have little hope of leaving China and joining relatives in the West. Some 260,000 people, mostly ethnic Chinese, are involved. Most appear willing to remain in China, though at least 18,000 wish to leave. About 2,000 have reached Hong Kong this year, where the government has begun deporting them back to China. Immigrants are appealing to the Hong Kong authorities to relax the policy, and also to help find employment for the settlers. *Hong Kong Standard* 17j, *NYT*-10j

16-C. Foreign marriage. According to the *N.Y. Times* (9M), no Chinese citizen has married an American since the mid-1960s. Now the State Council has approved the union of musician Chen Daying and his English teacher, Susan Wilf, and they were married in March. Several other foreign experts have applied to marry Chinese; these requests have not yet been acted on. Chinese who may not marry foreigners include soldiers, CP political department personnel, members of secret units, and people involved in foreign affairs work (including tourist guides).

18-C. A special feature on Christianity in China will appear in our next issue.

Buddhism in Tibet. A group of Tibetan exiles who visited Lhasa found Buddhist sentiment strong, even though the government had long tried to stamp out the religion and only a few of some 2,200 ancient monasteries remain. Narthang Press, the world's largest establishment for printing Buddhist texts, was destroyed during the Cultural Revolution. *Aw*-15F

19-C. Liaoning dissidents. In March 1979 *Liaoning Daily* was urging cadres "not to adhere to their old ways" and to permit people such as farmers to criticize government policies and even reject aspects of state plans which they found impractical (3†7M79). Nevertheless, in November three Fushan residents were arrested after "ignoring police advice and warnings and putting up wallposters on four different occasions to confuse and poison the people's minds." Tong Shilin, Bi Pengyou and Qi Yongqian had reportedly twice organized several hundred people to stage a sit-in demonstration in front of the municipal Party committee office, and had "disrupted order in production and transportation." They were also charged with certain acts of violence. Of particular concern to the three had been the cavalier way that officials had handled

citizens' letters and visits. But *Liaoning Daily* reported that the actions of the three had "aroused the burning indignation of the masses" (BJ26†28N79).

Cantonese dissident. An unnamed man of c. 50 years old was arrested in Guangzhou on January 28 for "speaking in a malicious way and writing slogans slandering the socialist system." 22†27F

Pro-KMT element. Pei Jiabang, 39, was originally given the death sentence for having (in 1975) distributed anonymous letters which evidently called for the Chinese Nationalists to take over China. The sentence has now been commuted to ten years' imprisonment. In June, Pei was visited in jail by AFP's Francis Deron. A relative is allowed to see him only once every two months.

South China Morning Post 13i

Broadcasts from abroad were apparently the source of some of Pei's thinking. "I used to hear the Kuomintang radio a lot," he admitted to Deron. Many other Chinese apparently listen to foreign broadcasts, thus sometimes deriving bourgeois if not counter-revolutionary ideas. Guangdong authorities are particularly concerned about the influence of Hong Kong radio and television, which people are urged to ignore. Throughout China, Voice of America is popular. Washington has received 14,000 requests from Chinese for broadcast-related teaching material.

South China Morning Post 23M, *NYT*-13A

MEDIA COMPARISONS

“My friends in Guangzhou (Canton) tell me the folks in that city are now reading Hong Kong publications, including *Zhengming*, *Seventies*, *Ta Kung Pao*, and *Wen Hui Pao*. [Note: the importation of these publications was subsequently banned.] They also listen to Voice of America, and Hong Kong broadcasts. Lately, many people are preparing to install television antennas in order to receive Hong Kong TV programs. Those who have installed them say: “Those programs are very good. Once you see them, you just don't want to watch programs originating in China.””

By An Xin
From *Autumn Fruit*
March 1979, JR4532

19-HK. Publications Ordinance. With one exception (Japan), Hong Kong has the only free press in Asia. However, certain requirements which the authorities make of newspapers have caused the International Press Institute to rank Hong Kong among places not enjoying full freedom of the press. According to the Publications Ordinance, which has been in effect for three decades, a newspaper may not publish unless it obtains a government license and deposits US \$2,000 with the authorities. Recently, there have been calls for the repeal of these requirements. *Hong Kong Standard* 2j

19-TW. Lee Ch'ing-jung. In our third issue we discussed the arrest of Hung Chih-liang, publisher of Taiwan's *Fu-pao chih-sheng* or *Demovoice*, and republished the text of the publisher's statement from *Demovoice*'s first issue. Now the magazine's editor has been convicted and imprisoned for writing articles "to propagandize for the Chinese Communists" and to promote Taiwan's peaceful unification with China. At his trial, Lee Ch'ing-jung insisted that he had had no intention of propagandizing for the Communists, and that his advocacy of unification was entirely consistent with statements which had been made by ROC Premier Sun Yun-suan. Mr. Lee's "confession," which was introduced as evidence at the trial, was reportedly extracted by torture. *NYT*-26A and our own sources.

20-C. Factionalism. Although the Chinese constitution asserts that citizens enjoy freedom of association (article 45), *People's Daily* (24J) has been lashing out against "secret factionalist activities" which are said to interfere with China's modernization by undermining the central leadership, promoting incompetent people and shunting aside able people. The charge was apparently aimed at radicals, who, "though they are extremely few, can cause great harm." Groups are accused of circulating official information among faction members only. In elections, "they never give up until their own people are elected."

South China Morning Post 26J

Democratic parties. The minor political associations in China, known as "democratic parties," were defunct from 1957 (when most members were condemned as "rightists") until recently. They have now been revived, and are even recruiting new members (500 since the end of last year). Some of the new members are among China's leading intellectuals and professional people.

AFP

20-HK. Hong Kong is considering relaxing its regulations concerning public assembly. Under the proposed changes, police permits for meetings would no longer be required, although seven days' notice would be required in the case of large political gatherings.

Hong Kong Standard 15J

21-HK. Green Paper. A high-level committee headed by Sir Jack Cater has recommended modest democratic reforms. Entitled *A Pattern of District Administration in Hong Kong* (popularly known as the Green Paper), the report was evidently cleared with Beijing before publication. According to the proposal, a minority of Urban Council members would be popularly elected. In the rural areas (New Territories), District Advisory Boards would be comprised of "a balance of directly elected members . . . the chairman of the Rural Committees elected as at present, appointed members and Government officials." Elections would be held in 1982, with five-year residents over 21 able to vote. It remains to be seen how much authority these bodies will have. Comments political commentator Barry Choi: "All in all, the Green Paper contains no real proposals of consequence to boost democracy in this territory. The Executive and Legislative Councils will remain the central organs of Government, which will continue to evolve within the dictates of stability and dependability on which Hongkong survives."

Hong Kong Standard 7J, 16J
South China Morning Post 19J

21. Elections in China and Taiwan will be discussed in our next issue.

23-C. Employment. *Beijing Review* (11F) carried a special feature on China's employment situation. It is reported that (newly created?) jobs were found for 7 million in 1979. "They made up most of the accumulated number of people [who have] urgently needed employment during the last dozen years or so." State Labor Director Kang Yonghe acknowledged that the country still has an unemployment problem, which he blamed on the turmoil of the Cultural Revolution, overpopulation, and "the unbalanced development between various economic sectors, particularly between agriculture and industry."

Urban workers' average monthly income is US \$39. (Peasants receive much less.) Raises of \$3-\$6 dollars are slated, but about half of that has already been wiped out by inflation (officially put at 5.8% in 1979, but food prices have been rising at a much higher rate). Raises will not go to all workers on an equal basis; rather, the main beneficiaries will be the highly skilled and hard working.

23-HK. Workers' compensation. Responding to unrest among Hong Kong workers, the government has stepped up enforcement of labor laws (771 employers prosecuted in May), and made substantial changes in the regulations regarding people who are injured or killed while on the job. The minimum/maximum payments in fatal cases, US \$4800/73,500; in cases of total disability, \$28,000/84,000. However, the territory is plagued by labor-management disputes, and there have been calls for a public mediating body.

Hong Kong Standard, 7J, 11J, 2J, 15J
South China Morning Post 14J, 26J

23-SK. Strikes. South Korean workers were permitted to strike this spring for the first time in many years. Work stoppages were accompanied by some unrest and even violence—particularly among coal

miners. Now, as part of the general crackdown, strikes are forbidden.

Monthly Review of Korean Affairs m. WP-11J

25-C. Health. Although the incidence of cancer is generally lower in China than in the West, the rate of stomach cancer is surprisingly high.

NYT-1A

Tourist Alice Kaufmann has described her hospitalization in China in detail.

NYT-20A

Pensions. Xinhua has explained the retirement scheme in the rural Beijing area. People receive US \$6-10, depending upon the productivity of their brigade.

27*28F

Housing. Fox Butterfield filed an account of how Chinese cope with the tight housing situation.

NYT-15J

26-C. Literacy. Xinhua estimates that 140 million Chinese (14% of the population) cannot read or write (120 million of them under 45 years old). Although 90% of children attend school, only 30% have passed final secondary school examinations.

WP-21A

ON MERITOCRACY

"I think that, in order to realize the Four Modernizations, it is first of all necessary to modernize the leadership teams. In the case of the workers, it has been necessary to require a certain level of competence. In the case of the recruitment of college students and employees, it has been necessary, when they eventually join the army, to examine the levels of their cultural achievement. They, why, in the case of the cadres' promotion and raise and of the appraisal of their levels of competence, should there be no examination of any kind?"

Masses' Reference News, 8 January 1979, JR3987

Higher education. Only 4% of college-age people can enter Chinese universities, placing China 113th among 140 countries (behind India and the Philippines), according to a report in *Guangming Daily*.

NYT-13J

Since the early 1960s China has spent only 1.1% of gross national income on education, placing the country tenth from the bottom among countries.

NYT-13J

27-C. Science. In 1979, 160,000 scientific and technical people were transferred back to their specialties, "in an effort to right the errors of the past" (GM 23†25F). Still, the inappropriate assignment of specialists continues to be a problem, according to *Nanfang ribao*. "They even lack decision-making powers in assigning scientific and technical workers to carry out experiments. . . . Some comrades equate Party leadership with monopolizing everything." Actually, the paper insists, not trusting scientists is an expression of "the pernicious influence of the ultra-leftist line and trend of thought" (GD20†25F). In February, Zhejiang First Party Secretary Tie Ying's speech on the importance of properly utilizing experts was given much play in the national media (ZH13†25F).

"Decadent culture" worries Chinese officials, though some (such as Liaoning Party head Ren Zhongyi) argue that young people must be allowed to make some cultural choices for themselves. The Shanghai press has carried a lively debate concerning the effect that "decadent culture" has on youth. An article in *Beijing Daily* blamed crime (including a bank robbery) on decadent music. A mural which includes a nude has created a stir at Beijing's airport. The new head of the Party's Propaganda Department, Wang Renzhong, has begun to impose stricter controls on entertainment, literature and music, which may signal an end to a year of experimentation.

NYT 15m, 8J, 6J
Hong Kong Standard, 3J, 1J

THE YU LUOKE CASE:

Miscarriage of Justice

By Zue Ke

From *April Fifth Forum*, 1 April 1979

The following concerns a worker-writer who was executed during the Cultural Revolution at the age of 27. The article was originally entitled "A Blood Debt Must Be Collected from Lin Biao and the 'Gang of Four': The Miscarriage of Justice on Yu Luoke, Author of the 'Theory of Family Origin,' Must Be Redressed."

People over thirty years of age probably cannot forget the couplet "If the father is a hero, his son must be a brave man; if the father is a reactionary, his son must be a blackguard." This couplet served as a magic weapon for Lin Biao and the Gang of Four to attack and persecute not only the older generation, the office-holders, people in the old society, but also the younger generation including the juveniles. Because of this couplet, Lin Biao and the Gang of Four poisoned the innocent minds of the offspring of the so-called "five red categories" and induced them to carry out large-scale attacks on their own brothers and sisters. This reactionary theory of "family lineage" was the theoretical foundation of the appalling "Red August." The disorder and damage done are still fresh in everyone's memory. The trick used by Lin Biao and

He was locked up in a courtyard as a "lunatic."

the Gang of Four was vicious indeed! Although subsequent events have enabled people to see this episode in a different light, the reactionary theory of "family lineage" has not yet been theoretically and ideologically repudiated.

In early 1967, an article entitled "The Theory of Family Origin" was published in the "Middle School Cultural Revolution Journal" run by some middle school students. Both ideologically and politically, this article was a strong rebuttal of the reactionary theory of "family lineage." This action infuriated Lin Biao and the Gang of Four and resulted in the author Yu Luoke's personal tragedy.

Before the tragedy, Yu Luoke was an apprentice repairman in the Beijing People's Machinery Plant. He was born in 1942 and graduated from the Beijing No. 65 Middle School in 1960. He was a brilliant student in school. After graduation in high school, he scored five points on every subject, and four points on sports only. He twice sat for the entrance examination for the institutes of higher learning and each time showed

outstanding achievements. However, because his parents were labeled "rightists," he was rejected. The teacher said to him solemnly and yet sympathetically: "Don't take the examination anymore!" At the same time, the teacher encouraged him, saying: "The whole society is a university. Do you remember Gorky?"

For a young man who excelled in academic pursuit, had high moral integrity, and was trying to forge ahead with high ideals for the motherland's future, what a mental shock this was! True, there had been many unfortunate people born by wrong parents. Under the influence of the ultraleftist line, they all became targets from the moment they were born! Because of this, they even lost their whole future!

On 31 December 1962 he received an "employment" notice from Manyuan Hongxing Commune. Rejoicing over the opportunity to go into society, he immediately left for the post, despite all the remonstrances from his family members to stay one more day to celebrate the New Year.

He served as a farm hand, then an elementary school teacher, a librarian and a collector of foreign materials (he learned Russian in school and later learned English and Japanese through self-study), and finally as an industrial worker. He studied hard on every job he did and at every post he held, and his outstanding performance won high praises from the leaders as well as the masses. At the same time, his lofty quality as shown by his orthodox methods, his diligence, his efforts to make progress, his thirst for knowledge, his frugality, his strict demands on himself and his leniency toward others, left a deep impression on those around him.

On November 10, 1965, Yao Wenyuan published his signed article "A Criticism of the New Historical Drama 'Hai Rui Dismissed From Office,'" and slandered Comrade Wu Han. This ushered in the persecution of scholars which lasted ten years and during which many noted scholars lost their lives. With dialectical materialism—which he had just learned

as a weapon, this 23-year-old young man detected the hidden malicious intent of these rogues and indignantly took to the battlefield. He wrote a rebuttal with his powerful pen, but *Wen Hui Bao* published it after drastic corrections and extensive excisions, leaving only about 1,000 words as some negative material. Yu Luoke indignantly returned five yuan paid for his contribution.

On October 1, 1966, he was locked up in a courtyard as a "lunatic." His pent-up feelings against the reactionary theory of "family lineage" and his yearning to denounce and repudiate it were suddenly let loose like a violent torrent breaking through the sluiceway. On that day, he wrote the first draft of his "Theory of Class Origin."

In essence, the "Theory of Class Origin" objectively analyzed the influence of families on individuals. It pointed out that family influence is but a small part of social influence; that only people's dynamic initiative plays the decisive role in determining an individual's line or bad traits; and that class origin can never serve as a criterion. In succinct language, the article ridiculed and dialectically and materialistically refuted the reactionary theory of "family lineage," and pointed out its dangerous and reactionary essence. The article contained more than 10,000 words, quoted many well-known passages from Marxist-Leninist classics, and systematically and vividly described a serious social problem. As the author himself said: "Everyone has his own family background, and is now faced with the problem on this account (regardless of what kind of background it may be). I hope every person and every family will study this problem, and handle it correctly."

The article was first published in the No. 1 Issue of the
(Continued on page 37)

Notes on a Human Rights Visit to Taiwan

By JAMES D. SEYMOUR

As the plane from Tokyo begins its descent into Taipei, most of the passengers are taking advantage of the last few minutes of freedom, soaking up what they can of the Japanese newspapers they have brought with them. The older Taiwanese especially cherish this moment, for they were educated in the Japanese language, and newspapers from Japan are prized for the news they contain.

Then the stewardesses come down the aisle gathering the papers, which are not allowed into "Free China."

One wonders why the need is seen for such censorship. Does President Chiang Ching-kuo fear that the ideas and information carried in a free press might cause people in Taiwan to question his wisdom?

* * *

I remained in Taiwan from May 12 until May 22. In general, my goals were (1) to see relatives and friends of recently-arrested democratic leaders for morale-building purposes, (2) to gather information about the state of human rights on Taiwan, and (3) to register (both before and after leaving the island) international concern regarding human rights violations by the Republic of China (ROC). I talked with a large number of people all over the island. A typical day consisted of one meeting after another, from morning to night. Unfortunately, government authorities were generally unwilling to meet with me.

* * *

The morale factor was the easiest part of my mission. I found all of the men and women with whom I spoke to be carrying on very bravely. Although some had had their moments of depression, they were now holding their heads high and were determined to continue the struggle for a democratic Taiwan. One woman, who reportedly had considered suicide after her husband was given a long prison sentence, now said that the tragedy has given her life new meaning, and that she has more reason than ever to go on living. The bravery was especially striking on the part of those who still face possible arrest.

* * *

The arrests of the past winter had been sparked by the December 10 celebration of International Human Rights Day. The Kaohsiung Incident has been described and analyzed adequately elsewhere,¹ and I do not intend to re-examine it here in this report. Suffice it to say that even if one were to concede (for the sake of argument) that the government's version of events is correct, the sentences which have been meted out are still unjustifiable.

But there were certain details about which I had been curious. One was the government's claim that the procession was described by its organizers as a "patriotic anti-America parade." I asked a number of people about this, and everyone was mystified. There appears to have been no anti-Americanism behind the Kaohsiung demonstration.

* * *

An aspect which warrants more serious attention is the Kushan Incident, for to the extent that non-party elements were responsible for any of the violence at Kaohsiung, the previous day's events in suburban Kushan hold the key.

Because the non-Party people had no access to the media, the only way they could inform the public about the forthcoming Human Rights rally was by such methods as going around with sound trucks announcing the event. Two men who were doing just this were Ch'iu Sheng-hsiung (Ch'iu Ah-she) and Yao Kuo-chien. Yao is a mainland, from a family of party functionaries. Ch'iu is a Taiwanese worker. What happened to these two was described to me by a person who was closely involved with the events. On December 9 the two were stopped by police in Kushan and, after a scuffle, taken to the police station. There Yao was beaten and dragged up a flight of stairs. A policeman wearing hard shoes jumped on him, and he was kicked in the chin, etc. Ch'iu was taken to the local Garrison Command. (I do not have any new information about the treatment he received, but it has been reported elsewhere that he suffered a concussion.)

At 2:00 a.m. they were taken by a police officer named Sung back to the *Formosa* magazine headquarters in Kaohsiung and "dismissed." *Formosa* personnel then gathered there. Some wanted to immediately go and register with a court so that those who had physically abused Ch'iu and Yao could be prosecuted. Others insisted that the important thing was to save the two men's lives, so they were taken to the hospital. One group did go to the court, later joining the others at the hospital. When this group arrived at the hospital, Ch'iu was unconscious. (Yao was in better condition; he was smoking a cigarette.) At 10:00 the next morning (December 10) Yao Kuo-chien left the hospital because he was afraid of receiving more beatings at the hands of the police. (Later it would be claimed that he had "escaped," and that for this reason there was no investigation into possible police brutality.)

At about this time I received a telephone call in New York from lawyer Yao Chia-wen (one of the eight major defendants, now serving a long prison term). He explained that people were very upset over the Ch'iu-Yao affair, and that he and other *Formosa* leaders were unable to restrain them. People were determined to hold the human rights demonstration that night, no matter what the authorities said. It was clear that lawyer Yao was worried that there might be trouble.

The rest is history.

Ten days later, Ch'iu Sheng-hsiung and Yao Kuo-chien held a press conference. Only three local reporters attended,

1. See, for example, *The Democratic Movement in Taiwan*, published by Asia Forum on Human Rights, 568 Nathan Road, 12/F, Kowloon, Hong Kong; and also the winter/spring issue of *SPEAHRhead*.

and the information imparted was not printed in any newspaper.

After the press conference a Kaohsiung police officer (*hsing-ching*) named Shih visited Ch'iu and Yao. Shih indicated that the charges for the December 9 incident would be separated from those pertaining to the December 10 incident. It was implied that December 9 (Kushan) would not be treated as a serious matter. Shih's main purpose in meeting with the two apparently was to persuade them not to press charges against the police for the beatings the two had been subjected to. But Ch'iu and Yao hesitated to agree, fearing that if they dropped the charges they were even more likely to be charged. (Apparently one or both of them had jumped onto a police car to avoid being run down, causing some damage to the car.) Shih promised them that they need not worry on this count.

The bravery was especially striking on the part of those who still faced possible arrest.

Ch'iu and Yao were subsequently rearrested and given 2½ and 3 year sentences, respectively. The charges were (1) hitting a police officer, (2) obstructing traffic, and (3) disturbing the peace.

* * *

Much of the illegal "marching" at Kaohsiung appears actually to have been people fleeing from gas. Apparently the police detonated two kinds of gas: tear gas, and another kind of gas, yellow in color, which burns the throat and makes it difficult to breathe.

On December 13, school teachers at all levels, all over the island, reportedly were required to lecture students about what evil people the non-party leaders were.

* * *

The "trial" of Presbyterian Church head Kao Chun-ming and other Protestants was held while I was in Taiwan. (Reverend Kao has since been given a seven-year sentence for helping hide political dissident Shih Ming-teh from authorities). The event was observed by James Phillips, whose account appears on page 5.

It may be too early to make such a judgment, but the prosecution of Kao Chun-ming et al. appeared to me to represent part of a general attack on the Presbyterian Church. Not only have laws been drafted which are particularly tailored to curb that church, but the *Taiwan Church News* (*Tai-wan chiao-hui kung-pao*) had received two "warnings." The first, dated April 18, cited an editorial in the April 6 *News* which had "made comment on the Kaohsiung Incident regarding which legal proceedings were still pending." (Of course, the official press was "making comment" on the incident daily, but it was a different sort of comment.) The second warning, dated May 13, cited the April 27 *News* (p. 6) in which the punishments had been discussed, and (p. 3) the Kaohsiung Incident had been commented upon.

With two warnings, the government needs to find only one more offense in order to "legally" close down the paper. (Most press closings do not wait on such legal niceties anyway.) It would not be difficult to find such offenses. For example, the

19 August 1979 *News* carried two photographs. Actually, the photographs were simply reproduced from two other newspapers, and each in itself was harmless. But placed side-by-side they were quite provocative. One showed the police suppressing a political demonstration in Taichung. The other photograph showed a demonstration in Beijing *not* being suppressed, even though it had been anti-government. In Taiwan, showing the Communist "bandits" in a comparatively favorable light is the stuff of which long prison sentences are made.

* * *

Prison conditions at Ching-mei, where the major defendants have been held, were described to me as being highly unsatisfactory. Four inmates are held in a three- to six-tatami cell. People are allowed only about fifteen minutes exercise, and only three times per week. Little reading material is available, and the cells are too dark to do much reading anyway. People were allowed no visitors between the time of their arrest in mid-December until February 27, and even now are allowed only brief weekly visits through phone-windows. Relatives have not generally been allowed to give the prisoners food. This is a matter of great concern because of the excessive quantities of salt sometimes mixed with the prison food (intended to puff up the prisoners so that they will appear healthier). There are also reports (which I am inclined to discount) that other drugs are added to the prison food.

The official press carried the claim that prisoners are "free to send and receive letters" (*China Post*, March 18). However, one wife told me that she received no letters from her imprisoned husband until February 9, and that correspondence between prisoners and non-relatives is rarely if ever permitted.

The prosecution of Kao Chun-ming appeared to represent part of a general attack on the Presbyterian Church.

Letters to relatives are limited to 200 characters each (though some longer letters get through). Shih Ming-teh's family have received no letters from him, though a brother has visited him weekly. (Some prisoners were able to correspond with relatives between January 13 and February 28, when communications were again cut.)

In May, the relatives of the Kaohsiung Eight were hoping that the prisoners would not be transferred to Green Island, which would be difficult to visit. However, I understand that with the arrival of summer the prisoners were finding their Ching-mei cells unbearably hot, and would actually prefer Greer Island.

Conditions for the secondary prisoners who are held elsewhere (the "thirty-three" in T'u-cheng Prison, etc.), have been somewhat better than those at Ching-mei, especially after the indictments were handed down. Though there are nine people in a cell, they are allowed daily exercise, have more opportunity to read, and can talk to one another. Relatives can visit them any day, and bring food.

* * *

I inquired whether lawyers who had defended the dissidents have been subjected to harassment. Although the government had made their work difficult, there has been no outright harassment beyond the usual mail tampering. For one thing, most of the lawyers try to get along with the government, and the defenses were rather perfunctory. (The real defenses in court seem usually to have been made by the defendants themselves or by relatives speaking for the defendants.) One lawyer who really did try to defend the dissidents said that his practice had fallen off, for people were afraid to retain him.

A lawyer mentioned to me that it is virtually a universal principle of jurisprudence that evidence helpful to a defendant must be allowed in court. In these cases, the main evidence was: (1) confessions—usually repudiated as having been coerced, and (2) what the prosecution and its witnesses claimed had been said by the speakers at Kaohsiung. Regarding the latter, tape recordings of the speeches were not allowed to be presented as evidence. This strongly suggests to me that the weight of the real evidence must be on the side of the defendants.

* * *

The lack of press and academic freedom has had a stultifying effect upon intellectual life. This is true even in universities (three of which I visited), where the added feature of omnipresent Party observers has a very intimidating effect. I was given numerous examples of professors being threatened and even fired for political reasons. A serious problem are the *fan-gung i-shih* (super-patriots), to whom the government gives nearly free rein. These hot-heads can make life very uncomfortable for liberal professors.

An example of the high price Taiwan is paying for the lack of press and academic freedom is in the area of environmental pollution. The ROC is pushing ahead rather wrecklessly in the development of nuclear power. There are no adequate safety controls. However, the subject of nuclear power cannot be discussed publicly (on direct orders of Chiang Ching-kuo, I was told). Provincial Assemblyman Ch'iu Lien-hui did discuss the subject in a speech at the Kaohsiung human rights demonstration, after which he was arrested and briefly detained. He has been warned by the Taiwan Garrison Command not to raise the issue again.

* * *

Taiwan obtains its uranium from South Africa (where ROC citizens are now "honorary whites"). Actually, Taiwan has much in common with South Africa (though I would not want to carry the parallel too far). In each country, a small group, drawn from a fifteen percent ethnic minority, rules over and exploits the majority. More than once have I been struck by the "South Africa connection." The ROC relies upon South Africa in a number of respects. I was told that people were sent to South Africa to learn riot control techniques. From South Africa Taipei has obtained the capability to take night photographs of crowds without flash. The

A serious problem are the "super patriots," to whom the government gives nearly free rein.

Privacy of the Mails

From *April Fifth Forum* (Beijing)
11 March 1979

It is reported that a certain post office in Lushun city not only pays strict attention to issues of this publication sent through the mail, but actually rudely asks the recipients to open the wrapping on the spot, loudly reprimanding them: "Why are such things mailed here?"

The various constitutions since the founding of the nation all provide explicitly that the state must protect the citizens' freedom of communication, and must not infringe upon it. Yet, certain individuals of the Lushun post office obviously opened and inspected this publication sent through the mail in violation of law, and actually threatened ordinary citizens. The editorial department of this publication has lodged a strong protest against this brutal act of trampling on the Constitution, and this announcement is made known to the entire country, and to the Commission for Inspecting Discipline of the Party Central Committee, the Supreme People's Court, the Supreme Procuratorate, the Ministry of Posts and Telecommunications and *People's Daily*. JR3922

government is reported to have spent (US) \$150,000,000 for South African anti-riot vehicles. It is even rumored that the mysterious A-bomb-like flash which was observed over the Atlantic near South Africa a year or so back was actually a ROC bomb. (This I doubt, but it shows how conscious people are of the South African connection.)

* * *

I asked just about everyone I saw in Taiwan what steps they felt it would be appropriate and effective for those outside to take on behalf of human rights in Taiwan. A majority felt that pressure should be exerted in such areas as foreign investment, trade, and arms sales. However, a minority opposed such steps (especially interfering with arms sales), saying that it would provoke the Party to be even harsher toward the liberals. Of course, virtually everyone urged full ventilation of human rights violations.

As far as what issues should be emphasized in this summer's appeals to the authorities, we should request that:

1. Prisoners should be allowed to receive books and newspapers, including those in foreign languages.
2. Prisoners should be allowed longer and more frequent exercise.
3. More people should be allowed to visit the prisoners (not just immediate relatives), and visits should be allowed more often.

Department has indicated concern in the matter. Spokesperson David Passage remarked that nothing in the charges against Kim "seemed to us to have much foundation."¹

Other observers have been less charitable. Britain's *Economist* noted: "Many of the offenses attributed to Kim in the 47-page charge sheet seem to be the normal maneuvers of a politician on his way to the top." The journal noted that the army had staged a coup d'état, prior to which there had been no evidence that riots were brewing. It was the army itself, rather than the proponents of democratic government, which had increased the risk of confrontation. The charges against Kim were "a fumbling attempt to justify the army's actions."²

Kim Dae Jung is only one of many who have been arrested, and those detained are only a fraction of those having to endure the new wave of repression. For example, on August 2 it was revealed that in less than a month the government had purged 8,667 people, including teachers, public servants, employees of state-connected organizations and others on public payrolls — all as part of a "social purification drive."³ In the private sector, employees were being pressured to fire people in official disfavor. Among those cashiered were eight journalists in Korea's two leading news agencies, Hapdong and Orient Press. Their sin was having protested press censorship.⁴

The government has even tried to intimidate South Korean employees of foreign news organizations. Five such reporters were detained for up to three days in July,⁵ and the Kyodo News Service was forced to close its Seoul office. If such developments are an attempt to prevent the international community from learning the true situation in the country, they will surely fail.

China's First CP Head On the Role of Prisons

"Regarding the creation of world civilization, two rooms are crucial. One is the study, and one is the prison cell. Our youth must resolve to enter the prison upon leaving the study, and upon release from the prison proceed directly to the study. This is the loftiest and most sublime life. Only the civilization that is begotten in these two places is true civilization. Only such a civilization has real value and vitality."

—Chen Duxiu

From *Yanjiu shi yu jianyu*, 8 June 1919

We are particularly disturbed by the very credible reports of the torture of imprisoned dissidents. Japanese journalists have reported that Kim Dae Jung was so victimized.⁶ The *New York Times* has cited Korean activists to the effect that many political prisoners were tortured. One case involved YMCA staffer Choe Suk Chin, who suffered a broken back. (The government admits that the injury took place, but denies that it was related to torture.) The *Times* also cited the alleged rapes of female prisoners by police.⁷ Amnesty International has reported that a Christian clergyman died the day after his release from political custody. Sources said that his body bore marks of ill-treatment, though the authorities denied having tortured him.

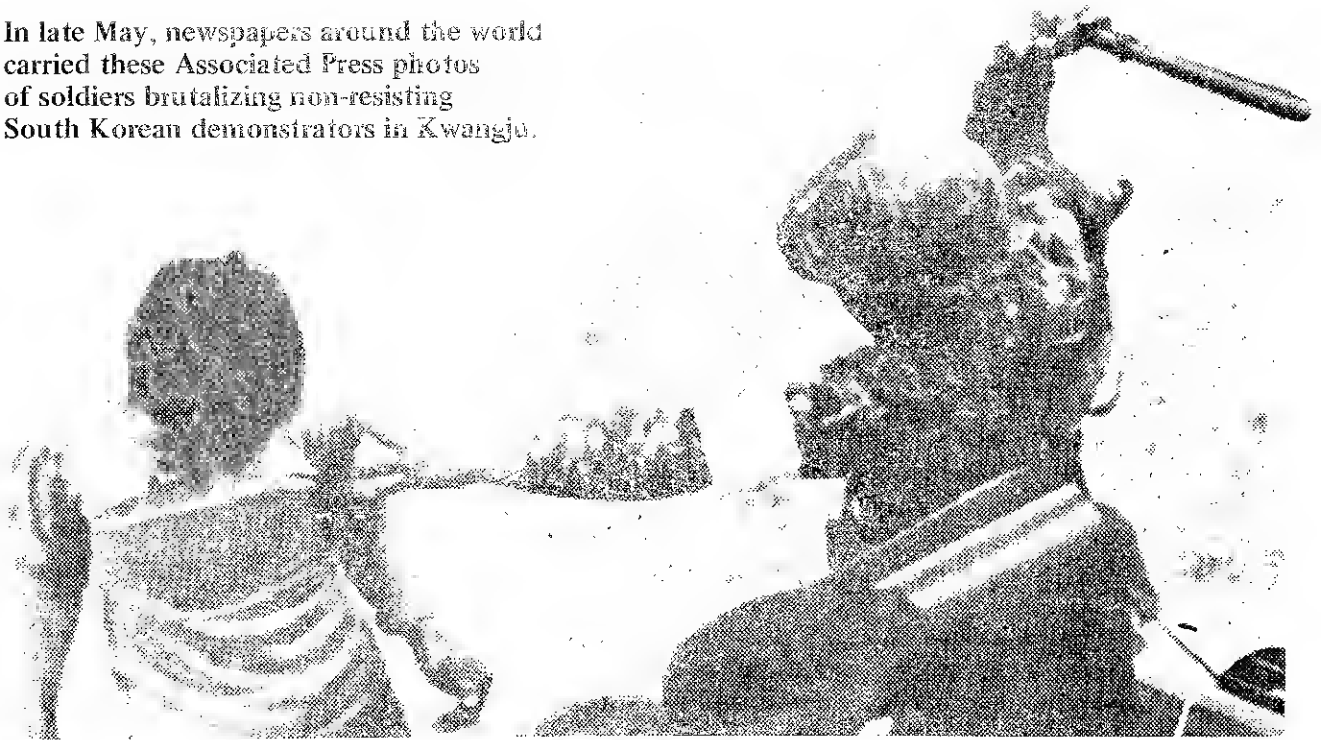
Considering the nature of South Korean politics over the course of the last decade, all of this might sound like more of the same. However, these developments come on the heels of a period of great hope that control of Korean politics would be returned by the military to the people. Indeed, when Park Chung Hee was assassinated last October, hopes rose for the restoration of democracy in the country. In April it was announced that the Korean Central Intelligence Agency was ending domestic political surveillance,⁸ and work was proceeding on a new constitution. The number of known political prisoners declined to 170.⁹ But the student-imposed deadline for the lifting of martial law (May 15) came and went, and people had no recourse other than to demonstrate against the continuation of rule by the armed forces.

The brutal repression of the uprising that developed (see photographs on opposite page) shocked the world. So today, the earlier improvements no longer provide a basis for optimism. The National Assembly, for example, has been excluded from the process of writing the constitution. There is little indication that those framing the charter are concerned with human rights — without which true constitutional government is impossible. The real test is slated for early or mid-1981, when a general election has been promised.¹⁰ Opposition leaders have expressed fears that the constitution will be too undemocratic to provide for meaningful elections. We share this concern.

NOTES

1. *Washington Post*, 2 August 1980.
2. *The Economist*, 12 July 1980.
3. *New York Times*, 3 August 1980.
4. *Washington Post*, 6 August 1980.
5. Held for three days were K. C. Huang of the Associated Press, Oh Il Son of Reuters, Chun Hak Pon of Japan's NHK Television, and Chung Ho Sang of *Asahi Shimbun*. The *New York Times*' Shim Jae Hoon was detained for a shorter period. *New York Times*, 27 July 1980.
6. *Washington Post*, 3 June 1980.
7. *New York Times*, 16 April 1980.
8. *New York Times*, 30 April 1980.
9. *New York Times*, 16 April 1980.
10. *Washington Post*, 3 June 1980; *New York Times*, 7 August 1980.

In late May, newspapers around the world carried these Associated Press photos of soldiers brutalizing non-resisting South Korean demonstrators in Kwangju.



Only Modest Rights Gains in China

The following is based on an interview of SPEAHR president James Seymour by Neal Robbins of United Press International. The UPI wire carried the story on June 6, and it appeared in various newspapers around the world.

China has closed its Democracy Wall, cracked down on dissidents, and constitutional guarantees of freedom are lacking, but mainland Chinese enjoy more human rights now than at any other time under Communist rule.

"Today it's much clearer what you can and cannot say," contends foremost scholar of East Asian human rights, James Seymour, "and even though there are some lingering fears of a turnback, if one makes *mild* criticism, the risk of reprisals is rather small."

With the notable exceptions of short outbursts of free expression in 1956-57 and 1978-79, he says, "things are probably better than at any time in the past three decades."

An Amnesty International political trial observer in Taiwan, Seymour comments that the contrast is sharpest with the 1967-76 Cultural Revolution. Then, even *withholding* opinions could result in political violence.

Still, as recently as March 1979 China completed disciplinary measures directed at outspoken dissidents like Wei Jingsheng, who became prominent during the preceding months of the so-called "Peking Spring."

During just four months of liberalization, dissident publications circulated freely, citizens hung "big character posters" in central locations like Peking's Democracy Wall—some of which questioned even Communism itself—and a number of activists called for far-reaching democratic reforms.

Seymour, who puts out the widely-circulated human rights newsletter *SPEAHRhead*, is about to publish a collection of writings of this period under the title *The Fifth Modernization*, a name taken from an essay by Wei contained in the book. The young worker called for a fifth modernization—democracy—to be added to the government's highly touted "Four Modernizations" of industry, science, defense and agriculture.

For his trouble, Wei got 15 years in jail on charges of providing foreigners with "state secrets." Observers say the conviction was an excuse to silence him.

The decision was followed several months later by the elimination of certain clauses in the Chinese

constitution protecting rights of free speech, hanging wall posters and conducting free and open debate.

Describing the retraction of rights as a "setback," Seymour says, "I think China will pay a price when social and economic policy is not adequately ventilated." He says the roundup of Wei and others could represent an experiment gone too far, or just a move by Vice Premier Deng Xiaoping in his consolidation of supreme power.

Seymour finds similarity between the situation in China and the recent trials of Taiwan oppositionists following the December 1979 riots in the city of Kaohsiung.

"It is ironic that in China it is said 'We are so poor that we cannot afford the disruptions which would result from free speech,' " he notes, "while in Taiwan the claim is: 'Our economy is so highly developed that we cannot risk political instability.' "

Though Seymour argues that there has generally been more freedom in Taiwan than on the China mainland, "during its more repressive periods the Taipei government resembles Peking." He adds, "right now we're seeing Taiwan worse than at any time since the early fifties." Seymour just finished a ten-day investigatory trip around Taiwan as part of a swing through Asia.

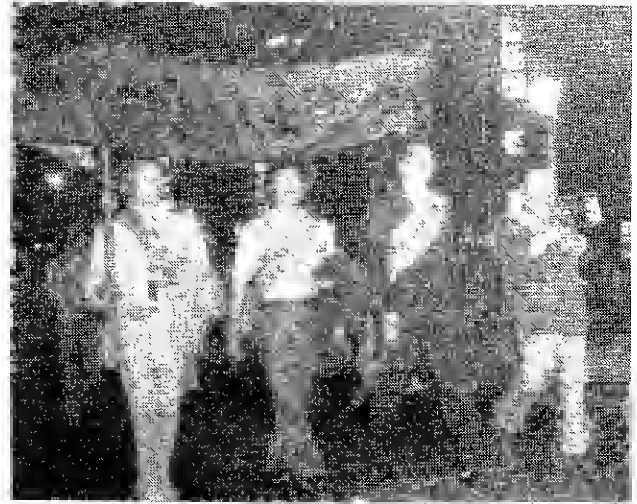
•

There was one earlier spurt of free and spontaneous expression in China under the mainland government—known as the "Hundred Flowers movement." The short chapter in Chinese history, which occurred in 1956-57 under Chairman Mao Tse-tung, resulted in a bearing down much more severe than the recent shift by Deng.

Those dissidents were different in that they were almost all educated before China's 1949 revolution, rather than afterwards like the dissidents of last year, and knew Western constitutionalism in a more sophisticated, theoretical way. "But what they're asking for is similar," Seymour maintains. "They want democratization, freedom of expression, freer flow of information and ideas, more government accountability to the people."

The recurrence of such demands, says Seymour, "demonstrates that there is a strong and enduring desire on the part of many people in China for political democracy." □

The Kaohsiung Incident



Top left: Former National Assemblyman Chang Ch'un-nan addressing a *Formosa Magazine* editorial meeting prior to the December 10 incident. Sign says: "Democracy, Unity, Love Taiwan." *Top right:* Demonstration at Kaohsiung, led by (left to right) Lin Ching-yuan, Wang T'o (see page 5), Chang Ch'un-nan, and Fan Cheng-yu. Chang Ch'un-nan was not arrested until this summer, after he announced that he intended to be a candidate in the forthcoming elections. *Center:* Members of the audience, and some of the "unarmed" military police. *Left:* The speaker's platform, with Lin Hung-hsuan (to right of signs). Signs say "Restore Freedom of Speech," and "Stop the Exploitation of Farmers."

MY DETENTION

By LIN YI-HSIUNG

The author is a member of Taiwan's Provincial Assembly, and is currently serving a 12-year prison term for his political activities. In this account he details his treatment while under detention by the Chinese Nationalist authorities.

In the middle of my dreams the morning of December 13, 1979, my wife woke me up shouting, "They have come to take Shih Ming-teh!" (Shih's apartment is right above mine). I got up and put on my clothes, opened the door and went out. I peered beyond the garden walls and saw about 20 or 30 men standing in front of the outside gate. After a few moments a police officer shouted, "Census! Open the door!" I could see from their manner they weren't here to take a census. Besides, what kind of census taking was this? I retreated inside and closed the door. Some of them then jumped over the wall, broke the glass door, and burst into my apartment. At the same time, some others swung down from the second floor. Suddenly my apartment was packed with people. One guy revealed a knife and another asked me who I was. I said I was Lin Yi-hsiung. With that, they grabbed my arms and twisted them behind my back and jammed on handcuffs. Well, now I knew they weren't just after Shih.

I was sent to the garrison command courthouse in Chingmei and put into a cell. According to legal stipulations, the military affairs investigation judge should have been responsible for my detention. But strangely enough, the afternoon of the second day, a few men came and put me back in handcuffs and drove me to Bo Ai Road in Taipei. It wasn't until later that I learned this was the security division. In the security division six men, divided into three groups of two, took turns questioning me for 40 days. Among the six, one was responsible for beating me. These six people took on different roles. Some were fierce, others were refined. But there was one common denominator among them all. It had been already fixed in their minds that *Formosa* magazine was a seditious organization, and the only thing they had to do was get the *Formosa* people to admit it.²

When the "Kaohsiung Incident" occurred, I had remained quite relaxed, knowing that I had only gone at the last moment and wasn't there very long. I didn't think I would be pulled into this affair. When I was arrested the morning of December 13, I still believed that after a little explanation I would be released. However, one week later, still in the garrison command jail, I realized that the situation wasn't so simple.

For at least a solid three days and nights without sleep, I was asked the same questions over and over again. If the investigators weren't satisfied with an answer, they would keep hitting me until I couldn't bear it any longer. On the one hand they would use torture as a threat, and on the other they would tantalize with a lure of government leniency. Everything was done to extract that perfect and convincing record.

義薄雲天氣貫日月
血淚生命承先烈

Tribute to
Lin Yi-hsiung

Your righteousness reaches the heavens,
Your spirit transcends the sun and the moon;
Descendant from martyrs,
Blood and tears are your heritage.

From the start of this exhausting ordeal, the investigators said repeatedly, “honesty brings leniency,” “honesty elicits sympathy,” and “what really counts is the attitude after the crime.” It was clear to me by this time they had already decided and confirmed in their minds I had committed a crime. This foregone conclusion was the basis for all of their subsequent demands and actions.

Many of the things they talked about I had absolutely no recollection of. Some of their suppositions were simply absurd. But they questioned me over so seriously, as if these things really happened. Over and over, the same questions. I couldn’t stand it. I asked them if I should make up a story. They said they just wanted the facts. It was clear that I couldn’t say too much, and couldn’t say too little. They said that *Formosa* magazine was like a table, no good short one nail. I was an integral part of the table. “Of course, it is quite unacceptable for you not to talk.” I began to suspect that they were going all out for a fabricated story.

After a few days of no sleep or rest, they let me lie down a few hours. Then they started hitting me again while they asked me questions I did not know the answers to. During the interrogation the major points were the following:

1. *After Huang Hsin-chieh’s house was broken into, we gathered in Huang’s house to discuss the Human Rights Day rally situation.*³

I simply can’t recall talking about the rally while we were in Huang’s house. I do remember discussing how to handle the break-in incident, but we never mentioned the Human Rights Day rally. No matter how I try, I can’t think of what we said. But the investigators said the others had all said it was so. Because of this discrepancy, I was hit repeatedly. Now the “confession” has recorded that we wanted to march and prepare sticks and torches, etc., but for the life of me, I do not believe that we talked about these things.

Many days after the record was finished, an investigator brought a diary written by Huang Hsin-chieh’s daughter. The diary recorded the day we met at Huang’s house. The investigators asked what some of the content regarding the break-in was. The human rights rally was not recorded. Even to this day, I am still doubtful about having discussed the Kaohsiung Human Rights Day rally at Huang’s. It is most probable we never discussed this topic at all.

2. *Questions: When I went to America, what was my mission? What was the content of discussions with Chang Chin-tse and Kuo Yu-hsin?*

I consider these questions the most laughable. I know a few people that advocate Taiwan Independence, but my relationship with them is purely personal and friendly. Democracy and freedom are my objectives. When the U.S. severed relations with Taiwan, many people felt Taiwan should become independent to avoid the Chinese communist threat. My thoughts and methods are different from these people and I have never discussed this subject with them. Therefore, when these people came to see me during my trip to the States, it was purely out of friendship. They know what sort of person I am, and understand that our relationship is no more than this. How could they possibly have assigned any “mission” to me?

As to the American senators like Ted Kennedy and Claiborne Pell, they are certainly concerned about Taiwan, but my meeting with them was also out of friendship. Again, how could such men assign me any “mission?” Nonetheless, I am now punched, kicked, jabbed and clobbered because of these meetings.

They asked the most questions about my conversations with fellow Taiwanese.⁴ In these I had been quite consistent in offering my true thoughts and opinions. However, I could not now convince my interrogators of this fact. After several sessions of beatings, I finally had to give in and say that those Taiwanese all advocated armed revolution, and to “admit” to having agreed to proceed in this direction upon my return to Taiwan. The investigators asked me how the efforts were going to be supported financially, and how the arms were going to be supplied. I couldn’t make up enough stories. There

雄蓋寶島氣壯山河
母、女、天、倫、付、東、流

Your heroism hovers
Over the treasure that is Taiwan;
Your spirit strengthens
Our mountains and waters;
But irreparably broken are the natural bonds
To your mother and daughters.

by Yu Wen-yun

was no way for me to know, but in the end, they only selected Chang Chin-tse's armed revolution story. The other things they didn't mention. In reality, Chang Chin-tse never talked to me about such a matter. I also don't believe he is capable of armed revolution. Chang knows that I wouldn't believe this type of talk. The interrogators had me put in the record that I preferred going to the brink of violence than actual armed revolution, but actually this was their insertion.⁵

3. *The interrogators kept forcing me to tell Mrs. Chang's telephone number. They said after my arrest, on my orders, a "Miss Chang" in my office called Mrs. Chang to report the news. They also said that before the incident, I had made acquaintance with Mrs. Chang.*

This is strange. I don't know Mrs. Chang and certainly don't know her phone number. For this response, I had to endure the investigators' blows again.⁶

4. *After the Kaohsiung Incident, I went directly home. Some of the other Formosa people went to Tainan. When I said I didn't go to Tainan, I was beaten again.*

The investigators raised all kinds of strange questions. For example, what financial group supported the *Formosa* magazine? Why did the American Institute in Taiwan invite me to America? Why didn't they invite someone else? What had I talked about when I had dinner with people at the American Institute in Taiwan? [AIT is the *de facto* U.S. embassy in Taipei.] If we had not talked about anything much, why had they invited me for dinner? Why had I written *Hu Lou Ping Yang* (A Tiger Out of Place)? The standard answers the investigators wanted to these questions were ones that could be used to incite an emotional split between the government and the people. Every movement that I made, and every answer I now made, were suspect. My answers were accepted as correct only if my "words" and "deeds" had tended to encourage the people to oppose and overthrow the government. These are the "facts" the investigators wanted, otherwise they wouldn't believe me.

I shall never forget the verbal intimidation, and what some of the interrogators said to me:

- *Here in jail, you cannot win, no matter whether you resist with your body or resist with your mind.*

- *If you do not talk and give us the evidence, we will beat you. If you get beaten to death, then we'll just say that you committed suicide out of fear and guilt.*

- *If you do not talk, we'll knock all your teeth out.*

- *"Where there is a mountain, there is wood."*

- *Men are only human. But the smart ones know what is good for them, and the limits of what the body can endure.*

- *If you fail to cooperate, we'll beat you into a communist.*

The same time they were feeding me these lines, they often referred to the example of Ch'en Chu.⁸ I needed only admit sincere regret, as she was said to have done, and then the government would be magnanimous toward me.

It was always like this. Finally, I felt that I had no choice but to give in to their demands. As long as I did not implicate any other person, I no longer cared about anything. Now, I just tried to guess what they had in mind when I answered their questions.

After ten more days of interrogation, they had their confession. The record had me giving a speech on the platform in Kaohsiung, paying my respects to the people. They claimed my speech was to arouse the crowd and incite the incident. What a joke! Actually, I never said anything at Kaohsiung. The tape recordings prove this.

After a few days the investigators showed me another record. They said their commander had reprimanded them for working so long and producing so little. The commander had been dissatisfied with the old record and wanted a new one. This time they had written that I made a special trip to Kaohsiung, arriving in the middle of the confrontation. Supposedly, I got up on the platform and called out, "Taiwanese: Stand up!" I was also said to have asked the troops to

At his trial on March 23, Assemblyman Lin Yi-hsiung told the court that on February 26 he had been warned by the authorities not to reveal the nature of his "treatment," or else "unfavorable things" could happen to his family. Nonetheless, shortly after the warning Lin had revealed that he was tortured.

Then, on February 28, his mother and twin daughters were murdered.

Lin's revelations were not carried in Taiwan's news media (all government-controlled), a fact which prompted the moderate *Asiaweek* to comment: "Such censorship makes a mockery of the Government Information Office tirade against the foreign press . . . for alleged distortions in reporting the trial."



Above: Assemblyman and Mrs. Lin Yi-hsiung after the murders of their twin daughters and his mother. Below: The funeral altar, on which are displayed photographs of the murder victims.



hold off, and for the riot troop commander to step forward and speak, with a view to encouraging the people to fight on.

By this time I knew everything had been decided. With no options, I was playing a tragic role in this drama. One investigator kept telling me about the horrible communist plots, suggesting that, behind the scenes, the communists had been manipulating *Formosa* magazine. I have always been strongly opposed to the communists, but after the investigator's repeated tirades about the Chinese Communists' machinations, the thought crossed my mind that if *Formosa* had really been used by the communists, I had no reason to complain about the punishment I was receiving.

I was deeply pained by the Kaohsiung Incident. Although I was usually not a very active force in the magazine, I am confident my motivation for participation was pure and proper. The Kaohsiung Incident was very unsettling for me. Add to that feeling the fear and hopelessness of jail. When I looked around and couldn't see any friends or relatives, I felt removed from the world. Cut off from the newspapers, news, and radio, I experienced total despair and dejection. Under these circumstances, I wrote the confession in complete compliance with their demands. I had no interest in reading the final record, I simply signed it.

Altogether, in the security center, I endured five or six confession extractions. They wouldn't cease these sessions until they were satisfied. I yielded to end the torment and suffering.

After five or six record sessions, when they could see I still would believe neither that *Formosa* had been established to topple the government, nor that the "five-man group" had represented a "power seizure plan," they handed me the "confession" Chang Chun-hung had written. Chang had written two or three short lines implying that *Formosa's* objective had been to usurp the government.

Yao Chia-wen had once described Hsu Hsin-liang's methods to compete with the Kuomintang. This was later explained as the "power seizure plan." But I can testify that the "five-man group" never had a "power seizure plan." We did not want any arrests, banning of publications, or internal strife. On the contrary, we wanted to insure the continued existence of the non-Party movement. Our normal activities kept us busy enough; plotting to seize power was really out of the question. Perhaps in casual conversation someone might have made some joke along these lines. Certainly the idea of seizing power now seems laughable. If Yao and Chang's circumstances have been different [from mine], it can only be because they could see through this whole mess, and without further ado wrote down the putative non-partisan activities, replete with step-by-step "plans." They must have confessed for the same reasons that I had, knowing that the "record" was false but signing it anyway.

In my record there are a few points I know are complete fabrications:

The long and short range power seizure plan. This is the most important factor linking *Formosa* magazine with sedition. Actually, from the start of the magazine, our only thought was to have the magazine serve as a center where the non-partisans could get together. The staff would be like the core members of a political party, working to bring into play broad based support from the people.

As to the future take over of power via elections, that is a much too distant and obscure matter. We certainly didn't have a plan that extended that far. As to the so-called short range plan, that is really silly. The short range plan should be one step to the realization of the long range plan. How then, could inviting police interference, creating riots, and allowing the new independent political forces to die an early death be an effective short-range plan?

The distortion of *Formosa* magazine's purpose. *Formosa* was the political organ of the non-partisans. Of course, its theme was to criticize the government's political system and improper policies. However, the purpose of the magazine was mistakenly accused of

being to subvert the government by taking advantage of opportunities to expose social evils, extol Taiwan Independence, and pit the sentiments of the people against the government. According to the record, my participating in *Formosa* is for these purposes. I believe that during the few months of the magazine's existence, not one compatriot understood the magazine to have been established for such purposes. Yet now, everyone is saying that our purpose was to subvert the government. I find this bewildering.

Taiwan Independence. It was recorded that when I was campaigning for a provincial assembly seat, I advocated Taiwan Independence, that there were contacts between *Formosa* magazine and the World United Formosans for Independence, and that I encouraged the people to resist the government when I said, "the current world trend is the pursuit of a fair and reasonable society." It is not true that I said all of this, and some of the alleged statements are completely contrary to my real thoughts and words.

It was as though during these forty days of questioning my interrogators were wearing blinders; I had never seen such stubborn or closed-minded men. They thought we could not possibly have any motive other than to subvert the government. "Democracy" and "freedom" were deemed merely slogans used to advocate personal political ambitions. They thought that they "saw through" the non-party movement. Actually, it seems to me that it is this kind of attitude on the part of the Kuomintang that made some non-Party people go to extremes.

The words and actions of the non-party people have been distorted, stained, and attacked. The result has been that some people not only rebel, but actually hate [the Chinese Nationalists]. Had [the Chinese Nationalists] understood us, then they would have known just how humble our demands have been. The existence of the non-party movement was not enough to threaten the government. On the contrary, it helped maintain their political authority and kept the nation united.

Throughout the forty days, the investigators' questions, attitude and tone suggested that they saw all the non-partisan activities as a big subversive scheme. The campaign aid banquets held before the 1978 elections, and each activity held after the aborted elections, were just so many pieces in the puzzle. But later, I don't know why, the investigators settled on the "five-man group" and the publishing of magazine pieces, discarding the other matters.

After the 40 days, an official inspector came to ask me how my life was, how the investigators were treating me, and if the record had been freely given. After asking me all these questions he even praised my honesty. (I had to laugh at that one. The record and confession were only a couple of pages. If the inspector had thought about it, a day or two would have sufficed to complete it. Now, after forty days, they come around and put on this act. What else to do but laugh?)

But I realized that I had only acted out the first scene of this farce, and that I would have to endure much pain to the very end.

• • •

The nameless man who beat me was fierce and evil looking. One look at him and I would shiver. His modus operandi was punches and kicks. To scare and intimidate me, he often threatened to have me dragged down to the basement. For about ten days he punched my chest, back and abdomen. He kicked me in the shins and in the stomach. Sometimes he used a lit cigarette to burn my face whiskers. If I wasn't being hit, I was being threatened with a trip to the basement for other forms of intimidation. They would refer to things like "going past five" on the [torture] scale, and said that I would be administered "the happiness needle."¹⁰ I never knew what that meant; I just thought it sounded horrible.

After a severe beating, they would see if I had submitted. If I had, they would start to be more friendly, showing a little concern, treating me better, and even offering tea and cigarettes. After a few

PRISONER

Visionary

Ho Chi-hsing, a native of Shaoyang in China's Hunan province, was arrested around 26 November 1979 by the Taichung County police in Taiwan.

Ho is an attractive and dignified looking man of about 50, somewhat martial in appearance, with a slim erect posture and greying hair. He has no known family.

His arrest appears to have been motivated by a pamphlet which he had written, in which he proposed the formation of a new political party. He distributed perhaps a few thousand copies in mid-November.

Ho originally came to Taiwan about thirty years ago as a member of the Youth Army (*Tung-chun*). He graduated from the sixth class of the special training corps of the political cadre school, and then became a middle-ranking officer in the regular army.

In 1978, after retiring from military service, he was hired by a company producing plastic shoes at Lu-ts'ao near Taichung. He worked there for about one year, earning NT\$8,000 (US\$200) per month. In May of 1979 he was injured in an industrial accident in which he lost the fingers on his left hand. He was not indemnified by the company, though he was paid during his two months hospitalization.

He was unable to work until October because his hand healed slowly, and during this period of unemployment he wrote his pamphlet. In November he was assigned to be night watchman at a factory managed by his original employer. He had only held this position for a short time when he was taken by the police.

Two days following his arrest, the head of the county police station came back with Ho to his home to inspect the premises and confiscate his few belongings. Ho was then remanded to the county police station, where he spent altogether at least five days (during which the police refused to give out any information or

PROFILE

Ho Chi-hsing

make any comment about the case).

Ho's pamphlet was primitively-printed statement on national affairs. In it he described the new political party he advocated. It was to be called the Great Unity Party (*Ta Tung dang*). The term "great unity" derives from Confucianism, and denoted the ideal social order embracing all people. In the pamphlet, Ho discussed this ancient concept, relating it to Sun Yat-sen's Three People's Principles.

Although Ho by no means favored the Chinese Communists, he did make some subtle criticisms regarding the manner in which Sun's principles had been implemented on Taiwan. The main beneficiaries of the government's policies, he said, were the officials. However, he never referred explicitly to the Kuomintang, and he praised the land reform program of the early 1950s.

An advocate of egalitarianism, Ho advocated greater unity among the peoples of Taiwan. He called upon the government, in the spirit of Great Unity, to cease stating people's ethnic group or origin on identity cards. All people, he wrote, should be treated equally under the law, regardless of race, origin, wealth, education or religious creed.

Ho's writings demonstrate no little insight into Taiwan's social and political problems, but also betray considerable naiveté, if not fantasy. His Great Unity principle, for example, was to apply to all ethnic Chinese, all over the world—on the basis of democratic elections. His notions about unification go even farther than the Kuomintang's and Communists' plans, which may be the reason that Taiwan's rulers were embarrassed.

It may be a tribute to the extent to which the Kuomintang has been victimized by its own censorship that it should be so out of touch with reality as to take seriously the utopian notions of a rather unimpressive man concerning the creation of a Great Unity Chinese Nation (*Chung-kuo ta-tung kuo*).

days the bruises and sores disappeared, except for a searing pain in the left side of my chest. Once I demanded a doctor give me medicine. The doctor asked me why I had a pain. I could only say I had an accident. After I took the medicine, the suffering was reduced, but the pain persisted right up until after I was returned to the garrison command. It doesn't hurt now, but my left side sticks out further than my right. I had never noticed this before, so I cannot positively say whether it was natural or the result of the beatings, but my left and right sides feel different, and the left side hurts when pressed. My left leg and shin still have bruises.

...

I believe in the ideal of democratic freedom. Devoting my live to politics, I have strived to promote democracy and liberty. I know that my involvement in political activities is based on belief and love of my homeland. Even now, I still do not really understand the Kaoshiung Incident. I only knew the Kaoshiung Formosa branch office wanted to hold a human rights meeting. I never thought it would have this conclusion. If, on that day, K'ang Ning-hsiang hadn't looked for me at the last moment to help stop or settle any unplanned incidents, I wouldn't have gone. But now because of this, I sit in prison.

I don't know if my body will be able to cross this abyss of pain, or rise above the mountain of injustice. Thus, I want to write about these travails, to give to my family. I hope they can understand and know how much I care about them.

The factors leading up to this present predicament are many. I am without opportunity to investigate, nor do I want to. Neither will I blame God or fate. There is no anger within me, even for those that beat or insulted me. I just hope the people will let me revert to my original self.¹¹ I do not want to be a martyr, but neither do I appreciate being accused as a "traitor." What I want most of all is for my loved ones to understand that I am just an ordinary man who invests for the sake of providing a good life for his grandchildren. However, what I have been trying to provide for my three daughters is a better society. This is all I have ever wanted, and it is a goal for which I have been willing to make sacrifices. Therefore, I have no further comment about my present plight.

February 25, 1980

1. Shih Ming-teh served a 15 year sentence for sedition, 1962-1977. General manager of *Formosa* magazine. One of the Kaohsiung Eight, convicted of sedition April 18, 1980. Now serving life imprisonment. His wife is the American Sinologist Linda Arrigo.

2. *Formosa* magazine, subtitled "The Magazine of Taiwan's Democratic Movement," sponsored the International Human Rights Day rally in the southern city of Kaohsiung on December 10, 1979.

3. Huang Hsin-chien, 52, a member of the Legislative Yuan, was publisher of *Formosa* magazine. His house was broken into two weeks before the Human Rights rally, by weapon-wielding thugs. Huang is now in jail serving a 14 year term for sedition.

4. Here Lin refers to overseas Taiwanese.

5. "Brink of violence" is one of the terms used in the indictment against the "Kaohsiung Eight."

6. "Mrs. Chang" is probably Eileen Chang who runs the "Voice of Taiwan," an international telephone news network that broadcasts news from Taiwan and overseas Taiwanese news. It is based in New York.

7. This sentence means, as long as we have got you, we can get what we want.

8. Member of SPEAHR/International Board of Directors. This is a reference to the incident in 1978 when Ms. Ch'en was briefly detained. However, she was arrested again in December 1979, and is now serving a twelve-year sentence. See her statement on page 3.

9. Chang and Yao, both *dang wai* and *Formosa* magazine staff members, were among the "Kaohsiung Eight." Chang, a provincial assemblyman and articulate spokesman for the oppressed, is now serving 12 years. Yao, a lawyer who opened Taiwan's first legal-aid centers, is also serving a 12 year prison term.

10. *Hsing-fu chen*—apparently a reference to an injected drug.

11. I.e., know what kind of man I really am.

Free Speech and "Counterrevolution"

By Liu Shui

From April Fifth Forum, 22 January 1979

It is not too cold this winter. In fact, it is quite hot before the Xidan Democratic Wall. Probably, spring will arrive in Beijing earlier than usual. People concerned for the destiny of China are gathering before the Democratic Wall, and the brilliant fire of freedom has warmed their hearts and bodies. Acquaintances and strangers alike are gathering together to discuss the future of the nation and the people. They all deeply feel that if people can enjoy full freedom of speech, many evils can be soon eliminated and many corrupt officials will soon be duly punished. They all rejoice over their freedom of speech once again.

However, some cautious, but well intentioned, person told everyone: "The so-called freedom is only limited to the Democratic Wall. Never use this freedom in your own unit or other familiar places. Remember the historical lesson of 'luring the snake out of the hole' in 1957, and don't forget the label of 'counterrevolutionary.' Otherwise, what you say now is like money deposited in the bank, and as soon as a movement comes, it will come back to you, capital and interest."

Some nodded approvingly; others remained silent; but some young people, like new-born calves that fear no tiger, indignantly retorted: "What do we fear? The Constitution has given us the freedom of speech so we can talk anywhere without violating the law."

The well-intentioned man replied slowly and calmly: "Please don't forget there is another article in the Constitution, and this article appears before your freedom of speech. It reads, in part, 'suppresses all counterrevolutionary activities.'"

This caused great indignation and brought forth this retort: "If I have made some honest remarks, how can that be called counterrevolutionary activities. In fact, it should be revolutionary activities."

Seeing this excitement and outburst on the other side, the well-intentioned man for a moment remained silent. Then he slowly and seriously said: "I did not say that the motions of the lips are counterrevolutionary activities. However, in fact, many people in China have become counterrevolutionaries simply because of what had come out of their mouths. Young man, think of the past and don't take the letters of the Constitution too seriously."

This type of discussion has been frequently heard before the Democratic Wall. It is generally held that the well-intentioned man is simply fond of arguing, because it is hard to believe that speech can be synonymous with activities. However, after carefully reviewing history, this is found to be true. To clarify this matter, I borrowed a copy of the constitution and looked through it carefully. There, indeed, are the words "suppresses all treasonable and counterrevolutionary activities." However, I could not find any definition of these words. I wanted to find out the specific contents of "counterrevolutionary activities" according to Chinese laws, but there is no code in China. (I have not read the code published before 1966.) I can only recall some specific activities of "counterrevolutionaries" which have been suppressed, restricted and criticized.

Through these recollections, I deeply realized that the well-intentioned man's remarks were reasonable. Most of the counterrevolutionary activities carried out by counterrevolutionaries who have been suppressed were in the form of "counterrevolutionary statements." Thus counterrevolutionary statements have become a kind of counterrevolutionary activity. The "freedom of speech" clearly stipulated in the Constitution as a citizen's right is entirely meaningless, because it is very difficult to ascertain what is a "counterrevolutionary statement." This can only be interpreted according to the knowledge of the superiors and judicial personnel at

"Young man, think of the past and don't take the words of the constitution too seriously."

various levels. And yet the knowledge of the superiors and judicial personnel at various levels can hardly be convincing; all the more so, because there is no way to prove that these superiors and judicial personnel themselves are not counterrevolutionaries.

History has proved that the article in the Constitution implying that the suppression of "counterrevolutionary statements" is the same as the suppression of counterrevolutionary activities" has caused a lot of miscarriages of justice and brought untold misery to Chinese society. Those who opened their hearts to the party were labeled and attacked, while those labeled "rightists" during the "free airing of views" were sent to far away places for reform through labor. Although acting according to the Constitution, Peng Dehuai was dismissed from office for being outspoken, and the circumstances of his death remain unknown. Anyone who had spoken harsh words about Lin Biao and the Gang of Four was persecuted or executed. The "small handful of counterrevolutionaries and ruffians" who remembered Premier Zhou and were dissatisfied with those who confused black with white, were beaten up and arrested by the militiamen, police and army, who were praised as "the steel wall." In the face of these excesses, people have remained silent. They could speak truthfully only to their relatives and friends. Flattery became popular and the singing of praises could be heard day and night. It was amid these praises on "the excellent situation which is better now than ever" that production declined, supplies ran short, and people had to suffer hunger and poverty followed by miscarriages of justice. China is now decades or even a century behind advanced industrial countries.

Winter in Beijing is actually not cold, and the arrival of spring will certainly be earlier than usual. But beware of a cold spring which may hurt or freeze some young shoots to death. This will be a painful experience to all people. JR3987

On the Original Enlightenment in Europe

By Zhang Yan

From *Enlightenment*, 29 January 1979

Note: China's Enlightenment Society took its name from the European movement. This article indicated what the original Enlightenment means to Chinese intellectuals today.

In 18th century Europe, there was a widespread ideological movement which could be called a continuation of the Renaissance. Its main task was to help people get rid of the fetters of medieval theology and religious dogmas, to do away with blind faith and prejudice, and to teach people to think independently and boldly with analytical minds. It was an ideological movement against feudalism and religion. This is what we know about the Enlightenment.

The Enlightenment adopted different forms in different countries. However, it invariably reflected the special features of each country's historical development.

Before the French Revolution (1789), France was different from England which had already undergone a bourgeois revolution. France was still under autocratic rule in the first half of the 18th century. Feudal monarchy was then strongly entrenched and refused to yield to a new society. Under the protection of Louis XIV (1661-1718), French capitalists in commerce and handicraft greatly expanded their ranks and foreign trade rapidly developed. However, in the country, there were still religious precincts and the noble's domains where customs barriers were set up to obstruct the free circulation of goods. The aristocrats, clergymen and royal families lived in luxury and extravagance while those engaged

Enlightenment today is no longer the responsibility of a small number of people, but rather of all the people.

in industry and commerce suffered oppression. At that time, examples of bourgeois revolution had already been set in Holland and England, and the advanced ideology in England had also influenced these people. Thus in mid-18th century, religious and royal rights were attacked and a constitutional form of government was advocated. The people demanded freedom of speech, freedom of the press and the inviolable individual rights.

Opinions on this subject were publicized by Voltaire, an Enlightenment writer, followed by Montesquieu. They advocated a constitutional monarchy, which should exist side by side with industrial powers, and opposed the system of serfdom and religion. In 1751, Diderot and Rousseau jointly compiled the *Encyclopedia* which signified an upsurge in the enlightenment movement in France. They arranged various doctrines of the 18th century in order, waged an uncompromising struggle with Catholicism, and carried out inexorable criticism of feudal autocracy. Rousseau, as a champion of democracy, strongly advocated human rights and equality.

His doctrines greatly enlightened the people and gave a strong impetus to the French Revolution of 1789.

Finally, the activities of these enlightenment writers cleared the way for the struggle with feudal autocracy.

The Enlighteners boldly asserted themselves in opposing not only economic oppression, but also spiritual enslavement of the people. They raised slogans of humanitarianism and strongly attacked the religious forces, which enslaved the people, as the citadel of feudalism. They declared war against religion as well as religious disciples—idealist philosophers—and infused enlightened ideas among the masses. Many people of the bourgeois class were thus led onto the road of revolution. People joined the revolutionary ranks in a common struggle against feudalism and religion. Because of the knowledge spread by them among the masses, they won the honored title of "Enlighteners."

In his article "The Heritage We Renounce," Lenin commented on the main features of the Enlightenment. First, he was full of hatred against the serfdom system and its economic, social and judicial by-products. Secondly, he warmly supported education, self-government and liberty. Thirdly, he firmly upheld the people's interests, mainly the peasants' interests. (The peasants were not yet liberated, or were in the process of liberation.) The peasants sincerely believed that once serfdom was abolished along with its remnant evils, they would all enjoy peace. They were also eager to promote this cause.

The Enlightenment adopted different forms in different countries with, however, the same ideological and historical contents. These contents were still in their early stage and were continuing to develop. At the same time, it was the desire of the progressive bourgeoisie to oppose the crumbling feudal system.

At the present stage of human development on this tiny planet, many countries have entered the modernized and electronic age at different times, while our country is still groaning in the prison of feudalism which has existed for thousands of years. People are still fooled by feudal ideas, tied up by feudal shackles, and subjected to feudal autocratic persecution. The republic, which has overthrown an old regime, is severely restrained by feudal autocracy and obscurantism resembling a pair of small tight shoes throughout 30 years of development. They feel as though they live in the age of the Huang Emperor, the age of feudalism. They are suffering great discomfort from the small tight shoes and know that the shoemakers have no idea whatsoever of their suffering. The progress of the republic has slowed down and ground to a stop. If China wants to accomplish the Four Modernizations, it must first get rid of the shoe of feudal autocracy. People will become their own masters with democracy and human rights. Then, after the acquisition of knowledge, the second shoe, that of obscurantism, will be removed. This is the prerequisite as well as the guarantee for accomplishing the Four Modernizations. Without the measures, the Four Modernizations will become just empty talk.

Enlightenment today is no longer the job of a small number of people, but that of all people. Everyone should become enlightened despite the influence of feudalism and obscurantism, and come to understand the development of society and mankind. This is the significance of enlightenment today.

JR3787

From China's Democrats On Mao Zedong: Two Views

During the high tide of China's democratic movement (fall 1978 through March 1979—see book advertised on page 7) the dissidents had relatively little to say about Mao Zedong. However, since that time some essays about the late chairman have appeared. Usually they have been anonymous, as in the case of these two. The piece below originally appeared under the title "Emancipate the Mind and Clarify the Truth." The essay beginning on the opposite page was entitled "A Beautiful Spring."

By A BEIJING RAILWAY WORKER

From April Fifth Forum, November 1979

Now that the truth of the Tiananmen Incident has been publicized, an acute and unavoidable problem is confronting all Chinese people: Did Chairman Mao commit any error? Can the masses of people discuss Chairman Mao's merits and shortcomings?

Way back in 1962, Chairman Mao said:

On 12 June last year, the last day of the working conference in Beijing convened by the Central Committee of the Communist Party of China, I discussed my own shortcomings and mistakes. I asked the comrades to convey what I said to the provinces and localities which were not informed. It's as if my mistakes could or should be kept hidden. Comrades, they mustn't be kept hidden! Of all the mistakes by the Central Committee I am responsible for those directly related to me and I have a share of the responsibility for those not directly related to me, because I am its chairman.

How beautiful are Chairman Mao's words! Why, then, does the charge of "counterrevolutionary" come out of nowhere as soon as someone mentions Chairman Mao's shortcomings and mistakes? Why do they cry that we are "attacking Chairman Mao," and then deliver a head-on blow? The pernicious influence of the cult of personality, idolatry, and the deification of the leader seems to be still fettering the minds of some people, particularly cadres.

We say Chairman Mao was a great leader of the Chinese people, and a great historical figure in China who played a special role in the Chinese revolution and won immortal merits, this is acknowledged by the whole world. However, our affirmation of Chairman Mao's great achievements in China does not mean that Chairman Mao did not commit any error. Let me ask: Could Lin Biao have come to power without Chairman Mao's support? Could Chairman Mao have been ignorant of Jiang Qing's personal history? And didn't he know that Zhang Chunqiao was a renegade? Without his agreement, could the "gang of four" have whipped up the so-called movement to "repulse the right-deviation wind of reversing verdicts" for the purpose of overthrowing Comrade Deng Xiaoping? Without Chairman Mao's approval, could the Tiananmen Incident have been branded as a counterrevolutionary incident?

We call ourselves believers in Marxism. Well then, let us show our thoroughgoing spirit: Whatever may be the real situation, we should truthfully tell the people instead of deceiving ourselves and hoodwinking the people and tampering with history. History must not be defiled.

I say: Chairman Mao is no god!

We hold that the time has come for an accurate appraisal

of Chairman Mao, because only an accurate appraisal could truly preserve Chairman Mao's prestige and defend Marxism-Leninism-Mao Zedong Thought. We must point out where Chairman Mao erred before we can conscientiously learn why such a great man as Chairman Mao could have committed mistakes, before the broad masses of cadres and people can truly draw their lesson and prevent political swindlers like Lin Biao and the "gang of four" from usurping party and state leadership, and before a reenactment of this historical tragedy can be prevented.

Only by appraising Chairman Mao with the methods of seeking truth from facts and dividing one into two can the broad masses of cadres and people be encouraged to speak the truth; conversely, if people are not permitted to voice their opinion of Chairman Mao, then "freedom of speech" and "democracy" will become meaningless and the so-called "emancipation of the mind" cannot be thoroughgoing.

Our country is now entering a period of new historical development and has reached an historical crossroad. Whither China? The Chinese people are watching and thinking. If the Chinese society does not undergo a large-scale spiritual revolution, and if the Chinese people's minds are not completely emancipated, neither China's Four Modernizations nor its socialist revolution can be accomplished. On the other hand, a great spiritual revolution will certainly lead to a great social revolution and stimulate a great economic reform. The time has come. Chinese people should stand up spiritually. To stand up, they must smash all spiritual shackles.

Finally, let us review our great leader's teaching:

What possible reason is there for Marxists-Leninists to be afraid of the masses? While they avoid mentioning their own mistakes, these comrades are likewise afraid of having their mistakes mentioned by the masses. The more they're afraid, the more they're going to be haunted by ghosts.

• • •

Problems should be brought out into the open frankly and the masses allowed to speak out, speak out even if we are going to be abused.

• • •

In short, if you let others speak out, the heavens won't fall and you won't be toppled. And if you don't? Then the day will inevitably come when you are toppled.

Such is historical materialism.

January 27, 1978

Note: Quotations from Chairman Mao are from the 1962 "Talk at an Enlarged Working Conference Convened by the Central Committee of the Communist Party of China."

By A BEIJING WORKER

From April Fifth Forum, November 1979

Spring, one to which the people of China have been looking forward for a long time, is finally here!

The people are now exercising their limbs which were long bound. They see that their motherland, with multiple wounds and in deep trouble because of the havoc played upon it by Lin Biao and the "gang of four," is now beginning to revive and advance toward the realization of the Four Modernizations.

At the same time, people's thinking, which was long imprisoned and became nearly suffocated, is likewise becoming gradually emancipated under the inspiration of the Party's Central Committee. Many problems which during the Cultural Revolution period were never susceptible to understanding by the people also begin to clear up.

Along with the thorough rectification of the Tian-an-men Incident, along with the clarification of a series of important case of false charges, and along with the restoration of the reputation of Lie Bin, Jian Bozhan, and other living and dead comrades—along with the forward development of the historical process, an important and compelling question lies before us: How are we going to correctly employ the dialectical-materialistic viewpoint in the treatment and appraisal of the founder of our Party, our state and our Army who was reared in our own motherland, our leader Chairman Mao who was, on the other hand, seriously twisted and deified by Lin Biao and the "gang of four?"

During the past 12 years, there have been many sharp questions lying before us. Why was a deceiver like Lin Biao able to usurp a high position like he did? Why was it possible for the Tian-an-men Square movement, which shook foreign countries as well as China and which brightened the pages of our history, to be so flagrantly designated a "counterrevolutionary incident" contrary to the people's will?

While people's wrathful and hateful eyes were directed at this bunch of nation-betraying culprits, Lin and the "gang of four," people viewed Chairman Mao with a mixture of hope and worry. Our good people longed for him to liberate the troubled motherland as he had done thirty years before. But he did not do this before he died, and all indications were that he did not intend to do this.

For scores of years, the influence of his life on China has been really great, and what he has left to us is really rich! There have been great achievements; there are also serious lessons. There being a ratio between his merits and his demerits, this matter needs the people to make an appraisal, and only the people, too, can offer any correct appraisal.

Chairman Mao was both a great leader and a person who coexisted with the people on the same planet. His birth and his ideology could not be viewed beyond the realm of history. Just as people have been saying, there are many reasons

"We longed for him to liberate the troubled motherland as he had done thirty years before."

visible to us which suggest that we need to make a comprehensive appraisal of Chairman Mao today.

• • •

Chairman Mao, together with the old generation of proletarian revolutionists, struggled for scores of years in order to establish the socialist China of today. But why during the Cultural Revolution were so many old cadres condemned as "renegades" and "capitalist-roaders," while real renegades Jiang Qing and Zhang Chunqiao, on the other hand, were able to swashbuckle for a period? From the repeated rise and fall of our Vice Chairman Deng, we can see how things were in those days in this regard. Before and since the founding of our state, Vice Chairman Deng has done a great deal of work for the revolution. Yet, when the Cultural Revolution got started, he, as one of the so-called Liu-Deng line originators, was forced to step aside. In 1975 it was Chairman Mao who let Comrade Deng Xiaoping come out to work again. But in 1976 the same reason for 10 years earlier was used to declare that the relationship with Vice Chairman Deng was that of antagonistic contradiction and hence he was again dismissed from office. Some people might thus say, this was not right, this must have been a result of Chairman Mao being hoodwinked by the false situation fabricated entirely by the "gang of four." The "gang of four" naturally deserves our hatred, but if we calm down and do a bit of cool thinking, we can see how during the intense struggles before liberation, during the war of resistance against Japan, and during the Xian Incident, Chairman Mao was able to exert his foresight and his clear thinking! But then why, after Comrade Deng Xiaoping had worked scores of years beside you, would you no longer see clearly now? Was it because Comrade Deng had changed? No, Comrade Deng Xiaoping has remained consistent throughout his life. Then, what was the reason?

Examples of this sort are plentiful. Not long ago, the Chairman said that the nation valued stability and unity. But soon thereafter he also said that, in a nation of 800 million, it simply would not do without struggles. Scores of years ago, he emphasized collective leadership. Scores of years after, he chose to exert his personal leadership over that of the Political Bureau. This was really a case of putting emphasis on the superior official's will. Fickle behavior of this sort could not

Both of these works (and numerous others which have appeared in SPEAHRhead) originally appeared in the journal April Fifth Forum, one of the leading organs of the democratic activists. The editor of the journal was Liu Qing, who was eventually arrested. This summer Mr. Liu was sentenced to three years in a labor reform camp. His colleagues say that the charges against him were that he had participated in an anti-government demonstration, had taken unauthorized sick leave, and had distributed a transcript of the trial of Exploration editor Wei Jingsheng.

but be indicative of an attitude of irresponsibility toward the state and the people. But of course, there must have also been some profound ideological cause for this.

Ideological change. Since the beginning of the Cultural Revolution, the number of campaigns has been considerable, including the Criticize-Legalism and Criticize-Confucianism Campaign, the Criticize-*Water Margin* Campaign, etc. We would not retell the familiar story of how the “gang of four” took advantage of these campaigns to promote their political line. But doubt cannot but be raised in people’s minds: Why, in modern revolutionary campaigns, did ancient books always have to be trotted out? Even foreigners cannot understand why China has such trouble with her ancients. If people are interested in the reason, let them look at the books stored in [his office at] Zhong-nan-hai! In that study, where foreign guests were usually received, those volumes of various colors and types filling the eye are all ancient books. The past should serve the present: there is of course the need to borrow from history; but we must know what was being borrowed. In the 1920s, Chairman Mao studied the works of Marxism-Leninism carefully and wrote for us more than a few famous works on how practice must enjoy priority. Yet, scores of years after, he would let the common people and he himself become concerned with how Zhou Po and Empress Lu struggled for power after the death of Liu Bang, and how Sung Jialiang of the Liang Mountains excluded Yao Gai from the ranks of the 108 sworn brothers. . . . people looked at their own leader of proletarian origin with a sense of mystery, seeing how he had taken the trouble to master the study of several thousand years of aristocratic history in such a dexterous way. So far, there was nothing so strange about this; [after all,] during the 1940s he had absorbed the science of Marxism-Leninism and the experience of the October Revolution. But later? He became introspective, and with his small-producer background, too many ancient books around and flattering voices in his ears, he was now unable to see the rapid development of science abroad, and unable to hear the urgent appeals of the people.

Attitude toward the laws of economics. Economic laws are objective laws. Whether or not one follows economic laws is the touchstone to test whether or not a revolutionary acknowledges the priority of practice.

Perhaps people still remember the sensational go-up-to-the mountains and go-down-to-the countryside movement that shook the whole nation 12 years ago? Within a short period of 10 years, 10 million youths throughout the country marched toward the countryside in magnificent contingents. As a movement, this was truly great and impressive. But, if we look at the results, one dares scarcely to express any optimism. Was it true that our countryside needed this many youths?

“Why, in modern revolutionary campaigns, did ancient books always have to be trotted out? Even foreigners cannot understand why China has such trouble with her ancients!”

Was it true that the young people could not grow up anywhere but in the countryside? No. Actually, rustication was but a measure of expediency in the development of labor power as required by the country’s economic recession; if we examine the long-range situation, it was a perverted, retrogressive action pitched against the process of history.

Those who understand something about historical development know that the development of capitalism has been making progress along with the large-scale bankruptcy of the peasants. In our textbooks, this is turned into what is called a crime against the peasants and against history. But, if we only look at it from the dialectical-materialistic point of view, this is but the inevitable cramps of an expectant mother before she gives birth to her baby. This babe, capitalism, was in fact precisely born after such cramps, otherwise it could not have departed from its mother’s womb—the feudal society. Of course, we would not ourselves follow the beaten track of letting the peasants go bankrupt. But, the cause-and-effect development from the countryside to the urban centers and from the peasants to the workers is merely a reflection of economic law, something inevitable as a result of historical habit. This has proved to be the case even with certain superior works intended as genuine expressions of true feelings. Comrade Zong Fuxian has spoken through the mouth of an old cadre in his novel: “The Party belongs to Chairman Mao, not to them.” How can the Party belong to Chairman Mao alone? It was as if the Chairman was not a part of the Party, but the Party was the possession of one individual. In the future it could well come to pass that the state and the people are also viewed as the possession of a certain individual; such examples are ample.

Foreign aid. Before Pakistan’s President Yahya [Khan] came to Beijing in the early 1970s, an agreement had already been reached that China would give a certain amount of aid. But when he came here, Chairman Mao took it upon himself to say that we could provide a few hundred million more yuan, even if we had to sweep out our warehouses. Thus, by the utterance of a single sentence, several hundred million yuan were thrown away. Afterwards, our Premier [Zhou Enlai] had no easy time to make up the gap. Shortly after Yahya went back to his country, he was deposed. Those several hundred million yuan’s worth of the people’s blood and sweat were all gone. There have been other examples of this sort, like aid to Albania, Vietnam, and Tanzania. . . . Yet today these international rascals have turned around to abuse us. There are many reasons why these rascals dare to abuse us, but one of them is obviously, as illustrated precisely by such cases, that we have not yet developed our own country very well and we are therefore not yet strong enough, isn’t it so?

“If one listens to both sides of a story, one’s understanding would be complete” and “Appoint only the talented to office.” In Chairman Mao’s late years, correct opinions could no longer be heard. Around him were only voices of flattery and adulation. At this time, Lin Biao, Wang Hongwen, Zhang Chunqiao and Jiang Qing achieved access to power. On the eve of the Chairman’s death, only some of his family members were left; even an old comrade-in-arms for scores of years who had shared thick and thin with him could not be near him. How dangerous and abnormal the situation had become!

Some might say that we only talk about the defects and don’t look at his achievements. My answer is that the fact that I am not enumerating too many of those achievements known to everyone does not necessarily mean that I do not see

Chairman Mao's great achievements. Precisely because of my love for Chairman Mao and my love for the motherland, I choose to express something from deep in my heart. Some might also say that even though all this has been on our minds, it should remain unsaid. But, under today's fine situation of everyone being encouraged to emancipate his thinking, if we cannot even open our mouths, what would become of our people if the ilk of Lin Biao and the "gang of four" should once more accede to power?

People's thinking has been overburdened by the force of development. In our country, the inevitable path to follow for a reduction of the differences between the peasants and the workers and between the countryside and the urban centers is to raise the level of industrialization, strengthen agricultural mechanization, and release the tremendous labor power of the countryside.

Anyone who violates an economic law is bound to be punished by that same economic law. This, Comrade Hu Qiaomu's article has explained very clearly. Because I have been an intellectual youth, therefore I mention it here.

For years, people have piously wished that their leader remain wise and his head remain clear, so that he would be able to sense the people's sufferings and expose all leaks and

"With flattering voices in his ears, he was unable to hear the urgent appeals of the people."

demons. But what a meek and pitiful hope this was! However great and wise one might be, he can certainly not be immune from making mistakes. Several thousand years of feudal history and over a hundred years of the people's dauntless struggles have told us one truth: we must entrust our hope to a healthy, effective, scientific and democratic system, so that whether one belongs to the ranks of the common people or happens to be an elected public servant, he is bound by this system and strives for the well-being of the people.

Ancient and troubled China has let itself be harnessed by this tumor of feudalism for too long; how many well meaning warriors and how many martyrs have given their lives for this? Our generation of youth really consist of innocent, pure and naive children who in their very puberty chanced to suffer the imposition of the feudal autocracy by Lin Biao and the "gang of four." They have been fooled. They have been cheated. Today, as I arrive at this garden of democracy, I still cannot help feeling the stimulation and the excitement. Granted that the way I say things, the views expressed in my writings might sometimes seem less than appropriate, radical, or fraught with certain defects and errors; but what fine fresh air one feels while passing through here!

Masses, who have undergone the tests of many movements, are awakening. Ancient China is also awakening. The city of Beijing, with its glorious April Fifth tradition, is likewise awakening. Let us all give full play to the glorious tradition of the April Fifth Movement, speak the truth, believe in truth, sum up the experiences and lessons in history, sum up also the experiences and lessons of people of various countries of the world, strengthen the people's democratic

MISCARRIAGE OF JUSTICE (continued from page 18)

Middle School Cultural Revolution Journal in 1967 and was signed by "Study Group on the Question of Family Background." To further expound his views and ideas, he also wrote several other articles, under the penname "Tan Chin [6151 4783]," such as "On the Life and Death of Martyr Zheng Zhaonan" [6774 0340 0589] and "What Do the Disturbances of So and So Show?"

The "Theory of Class Origin" touched the enemy's sore spot and Lin Biao and the Gang of Four were seized with panic. Yao Wenyuan called it a big poisonous weed. At that time, the Cultural Revolution Group was a party above the party, and the words from any of its members became "supreme directive" with "supreme authority." The article declared the death sentence of the "Theory of Class Origin," but nobody could ever think that the author too received a death sentence.

After being shadowed for over a year, Yu Luoke was arrested in January 1968. The people's police, using handcuffs made by the people, arrested the people's son Yu Luoke. Since then, he had taken leave of his parents, brothers, sisters, comrade in arms and friends forever.

On March 5, 1970, a bullet, which should have been aimed at an enemy, went through the body of a 27-year-old fighter who had upheld truth and was brave and unyielding. His body, a frail body, had fallen, but his heroic image in the search for and in defense of truth, stood majestically in people's minds.

According to the verdict, he was guilty of "having written reactionary literature, being arrogant, and vainly attempting murder." The third charge had obviously been trumped up to add weight to the first two. (Recently, a public security worker responsible for reviewing this case declared that the charge of "vainly attempting murder" was groundless.)

After his arrest, not only Yu Luoke's whole family was involved, but also the "writers" of nearly 1,000 "letters from readers" searched out from his house were implicated in varying degrees. Even the worker who set the types could not be spared. Some of them were arrested and imprisoned. According to the latest information, some of those involved in this case are still in prison.

Now, one gratifying bit of news is that thanks to the concern of the leading cadres the Communist Party Central Committee and the publishing houses of *China Youth* and *Guangming Daily*, the Municipal Public Security Bureau is seriously reviewing the case.

We hope Comrade Yu Luoke will soon be exonerated.

Eternal glory to Yu Luoke, the staunch fighter who dedicated himself to the defense of truth!

Let us learn from Yu Luoke's revolutionary spirit and strive for democracy in our social and political life!

system, and never again let the tragic phenomenon of Lin Biao and the "gang of four" enslaving the broad ranks of the people repeat itself!

The modernization of natural sciences cannot be separated from a modernization of social sciences!

To strengthen the people's democratic system, and for the sake of tomorrow and the Four Modernizations, let us welcome the beautiful spring by speaking from our hearts.

Long live the people!

Posted on Democracy Wall, November 25, 1978

JR5147

The Story of *Exploration* Magazine

By LU LIN

From *Exploration*, 9 September 1979

Exploration has been the most militant of China's dissident journals. Its editor, Wei Jingsheng, was sentenced to fifteen years imprisonment. In this article, one of the journal's organizers recounts the organ's history.

On July 16, 1979, Liu [given name not indicated] of the Second Section, Seventh Division, Beijing Municipal Public Security Bureau, concluded this about our publication *Exploration*: "All of your activities are counterrevolutionary activities."

Both professional and spare-time lackeys who have been attacking us are so pleased that they consider this "a great victory." They take delight in accusing us of counterrevolutionary activities in order to pave the way for them to launch more extensive and penetrating revolutionary inquisitions into such matters as: How did we "counterrevolutionaries" get together? What are our goals and platform? What kind of counterrevolutionary activities did we pursue?

Besides, those who support and sympathize with us are anxious to know what has happened to us. They are worried because they have no idea what law we have broken to deserve this inhumane treatment. Of course, the teeming masses who know nothing about us might also want to find out what kind of people the counterrevolutionaries of the 1980's would be.

I therefore propose to tell the public all the facts I know in order to facilitate the "revolution" of the aforesaid first group of people, to give some relief to the second group and to offer an eye opener to the third.

How We Got Organized

The November 25th Democratic Forum at the Xidan Democracy Wall in 1978 led to two demonstrations, each consisting of more than 10,000 people who marched from Xidan to the Monument to Revolutionary Heroes, as well as several sessions of democratic discussions, attended each time by thousands of people. They were the first spontaneous democratic mass movements in China in the last thirty years. These demonstrations and discussion sessions in turn helped push the movement to a new height. Comrade Deng Xiaoping spoke by the end of November and proposed to leave the assessment of Mao Zedong to future generations. This sounded obscure, incomprehensible and even objectionable. Personally I was opposed to his view at that time. I told other people that I don't see why the people of the present generation are not as capable as future generations of understanding contemporary problems. If all contemporary problems have to wait, the longer the better, for solutions by future generations, then we must confine our attention to the problems of the reigns of Kangxi and Qianlong or even the first emperor of the Qin dynasty.

But grumblings and realities do not mix. After Comrade Deng Xiaoping's speech, the Democracy Wall looked deserted, and the people became dispirited and "completely spent" in thinking and morale.

This pathetic situation, however, came to an end on 15 December, when a long article entitled "The Fifth Modernization" appeared at the western end of Democracy Wall. It attracted a huge multitude of readers and numerous written comments. The article contained a very vivid and appealing slogan: "Without democracy, the four modernizations cannot be achieved." When I read it I fell so madly in love with it that I was completely drawn to it by the courage and wisdom of the author. To invite comments, the author left his address at the end of the article. A few of us, including Yang Guang and myself, followed the address given and visited the author, Wei Jingsheng, who eventually became the editor in chief of *Exploration*.

At our meeting with Wei Jingsheng we each expressed our individual views on many weighty domestic and international problems. We all agreed that "without democracy, the four modernizations cannot be achieved," but we also raised other controversial questions. For instance, I questioned whether the plight of China is due to fake Marxism or the inadequacy of Marxism itself. Wei Jingsheng believes that Marxism itself is inadequate. He cited evidence drawn from philosophy and political economy to support his arguments. Wei pointed out that, according to Marxism, the highest stage of capitalism is imperialism; it will fall apart and perish once that stage is reached. Capitalists pay their workers only enough to maintain a bare subsistence (as happened in China). . . . Yang said: "I have not studied Marxism seriously, and I cannot say I am committed to any particular ideology. I have to study and understand Marxism before I can pass judgment on it." Even though we could not agree on what is responsible for China's plight, we all wanted to do something to help China overcome its poverty and backwardness. Our discussions with Wei Jingsheng convinced me that he is well versed in social theories, such as Marxist philosophy, political economy and the philosophy of Hegel and Feuerbach.

We finally agreed unanimously that to ascertain the real reason for the backwardness of Chinese society, we were determined to conduct both research and discussion, and invite people to comment on our findings in order to get a correct answer to this question, one which corresponds to actual social conditions.

Some publications had already appeared, such as *April*

Fifth Forum and *Today*. In view of this, and to achieve our objective of seeking solutions to the various problems, we decided to have a publication of our own. Inasmuch as our goal was to explore and seek solutions to many pending problems through discussion and practice, Wei Jingsheng suggested that we name our publication *Exploration*.

The Objectives of Our Publication

Every publication has its goals, and our simple publication is by no means an exception.

First of all, we decided that our goal should be that, as we strive to achieve speedy realization of modernization, we want the material and spiritual life of our people to reach the world's advanced level and make the social conditions under which our people live as equitable as possible under the circumstances.

Then we worked out our fundamental guiding principles. Inasmuch as we are unable to decide whether the plight of China is due to fake Marxism or the inadequacy of Marxism itself, we decided not to take Marxism as our guiding principle. Instead, we decided to take the freedom of speech, freedom of the press, freedom of assembly and freedom of association granted by the constitution as our guiding principles. We would base our explorations and discussions on the basis of the history and reality of China and the world without relying on any particular ideology or individual as the absolute final authority. All theories and ideologies, including those in existence and those yet to evolve, would be the subjects of discussion in our publication or the tools of our analysis and exploration. Moreover, we are convinced that there is no way to ascertain the real cause of our backwardness and the way to shake it off unless the greatest majority of the powerless and suffering people can speak out. Consequently, we decided to make our publication speak for the suffering common people.

The First Three Issues

The first issue of *Exploration* was published on 8 January 1979. Because of the constraints of space and time, it contained only three articles, [all] by Wei. These were: "The Fifth Modernization," "The Fifth Modernization, Continued,"¹ and "Questions Concerning Vice Premier Deng Xiaoping's Answers to Questions Raised by American Reporters on January 5." We printed 150 copies, some of which were sold at Democracy Wall and the rest in Tiananmen Square.

What is meant by "Questions Concerning Vice Premier Deng Xiaoping's Answers to Questions Raised by American Reporters on January 5"? Vice Premier Deng Xiaoping told American reporters on January 5 that the question of human rights does not exist in China and that the Chinese concepts are different. We raised ten questions based on our own views and incorporated them in the article. These are some of the questions we raised. During the time when the "gang of four" were in power, was it true that there were "only a few instances" of obstruction of democracy or that the freedom of the people was ruthlessly trampled upon everywhere? Has the policy to promote democracy and freedom been fully and conscientiously implemented in China today? How do the policy of "democratic centralism" and the promotion of democratic principles differ from the whole question of human rights advocated by the United States? To what extent would the interests of the Chinese be jeopardized if Chinese citizens enjoyed all the individual rights now enjoyed by citizens of the United States?

Our second issue was published on January 29. We printed 250 copies, all of which were sold at Democracy Wall. This issue contained an important article by Wei Jingsheng, representing the *Exploration* editorial department. Entitled "The 'Limits' of Democracy," it was written to rebut a statement on the spirit of a meeting of the Beijing Municipal Party Committee held in the latter part of January.

[We omit here a lengthy quotation from "The 'Limits' of Democracy." The complete text appears in the collection *Fifth Modernization*, pp. 93-95 (see advertisement, page 7). —Sh]

On January 29, six organizations publishing unofficial journals called a democratic forum at the Xidan Democracy Wall to refute the allegations of the statement of the municipal party committee.² It was a stunning success. Our action won the sympathy and backing of the masses of Beijing, and the Beijing Municipal CCP Committee had to withdraw the statement on the spirit of its meeting.

At this point certain "honest people" asked: "Are you people working deliberately to oppose the government?" In reality, we do not mean to oppose the government. We believe that the young bud of democracy which has just appeared in China should not be trampled upon ruthlessly. Moreover, Comrade Hua Guofeng said: "Let there be more liberation of the minds, more options and more leeway." It cannot be

We could not decide whether China's plight was due to the inadequacy of Marxism or to the possibility that genuine Marxism has not been practiced.

denied that what we have done was inspired by Comrade Hua Guofeng's instructions. We would not have been so outspoken if Comrade Hua Guofeng had said there should be tighter control of the minds, few options and less leeway.

This issue carried an article by Wei Jingsheng entitled "Further Continuation of the Fifth Modernization" and another article by Yang Guang entitled "Look! Where Do We Find the Chinese People's Own Thoughts?" I wrote an article on "People Selling Their Children on the Streets of Beijing."

The third issue of *Exploration* was published on March 11. We sold 800 copies at the Xidan Democracy Wall. It carried more articles than the preceding issues. Two of these articles are exposés of facts. The one by Wei Jingsheng is entitled "Qincheng No. 1 — The 20th Century Bastille,"³ and the other, by Liang Yao, is entitled "The 'Virtue' of Virtue Forest."⁴ These two articles are solid factual exposés of the inhumane fascism still practiced over the country. [Summary omitted. —Sh]

The third issue carried a poem contributed by a native of Liaoning Province. It is entitled "The Imperial Palace and Chairman Mao's Memorial Hall Match Well." Many of our readers were pleased with the poem, while others were scared. Why were they scared? The Chinese are afraid to work against any taboo. In the past, when an emperor died the whole country had to be in mourning attire, without even a dash of

USSR Citizens Appeal

Soviet citizens, including Nobel laureate Andrei Sakharov, have appealed to Chinese authorities on behalf of China's persecuted dissidents. Sakharov wired Deng Xiaoping to urge that the 15-year sentence given to Wei Jing-sheng be reconsidered.

Six months before Wei Jing-sheng had begun putting out *Exploration*, a Russian *samizdat* with a similar name, *Poiski*, began publication. Although there appears to be no connection, *Poiski* also took a strong stand on behalf of China's dissidents. "Our journals are making their contributions in asserting a new world order. In upholding freedom of thought from ideological censorship and the freedom of man from authority, we defend the dignity of all thought, even that which may be alien to us."

Translations of the Sakharov telegram and the *Poiski* article appeared in *Freedom Appeals*, no. 3 (Freedom House, 20 West 40 St., New York NY 10018).

red color. It was said that if one's nose were red one would have to paint it blue before leaving the house. So one who curses an emperor is naturally bound to incur universal condemnation.

The author who contributed the poem was arrested in April during a drive to suppress the democratic movement.

Our Editorials

On March 16 Comrade Deng Xiaoping spoke to the senior cadres of all Central Committee departments. We find that some of his remarks are incorrect. For instance, he asked for the arrest of certain individuals because they are evildoers. He said that Mao Zedong's mistakes are so insignificant that they are not worth mentioning, but he attributed the disorders in certain localities to spontaneous democratic movements here.

Shouldn't we respond to what he said? If we did, we would have to face these problems:

1. If we criticized Comrade Deng Xiaoping, many people might not appreciate or might even oppose what we say.
2. Both the "yes faction" and the extreme leftists within the party would take advantage of the situation to spread rumors in order to incite the masses to put pressure on those comrades within the party who favor reform and democracy.
3. Our personal safety would be endangered.

How were we going to resolve these problems? We used to respect Comrade Deng Xiaoping and sympathize with his turbulent political career. We earnestly hope he can come out to lead us from dictatorship to democracy and from privation to happiness. However, we cannot permit any obstacles to block the people's road to democracy and happiness, no matter whether the obstacles are deliberately planted or unwittingly left behind. If we did not speak out against what

we consider wrong and allowed the seeds of disaster to germinate, we would be committing a crime against the people.

The Last Issue

After Wei Jingsheng was arrested on March 29, Yang Guang and I prepared a handbill on behalf of *Exploration* declaring to the world and to the citizens of China that we regarded the arrest of Wei Jingsheng by the Beijing Public Security Bureau as the death throes of the fascist "gang of four."

We pointed out the authorities arrested Wei Jingsheng on the charge of "engaging in counterrevolutionary propaganda" and that the outrageous way they "prosecuted" the trumped-up "ideological offenses" was reminiscent of typical fascist operations. Finally, we said in our handbill: "*Exploration* will join the Chinese people in exploring ways to eliminate all the fascists."

Now let's take a look at how Wei Jingsheng was arrested. We all know that no one can be arrested without the approval of the procuratorate. But where is the procuratorate? We have found that the procuratorate and the Public Security Bureau are all in the family — the Public Security Bureau also exercises the authority of the procuratorate. No wonder summons and arrest warrants are so efficient!

The following describes the kind of law enforcement personnel under the proletarian dictatorship.

The man who led a group to search our house on April 22 was Ma Danian, a case officer who handled the trial of Han Zhixiong, an April Fifth hero. The man responsible for the case of Wei Jingsheng is Zhang Wenyu, who played a decisive role in the prosecution of the April Fifth heroes. He cursed both the April Fifth movement and the current democratic movements (see details in "My Visit to Banbuqiao"). The Banbuqiao outfit does not differ much in organization and ideology from what existed in the days of the "gang of four."

After distributing the handbills on March 31, we left Beijing immediately to escape apprehension. This put a [temporary] end to the publication of *Exploration*.

Please note that the criminal code was promulgated on 7 July 1979. On July 16, Liu of the Public Security Bureau concluded that, under the criminal code, our activities in publishing journals and posting big-character posters were counterrevolutionary. Although we are not sure who helped him reach such a conclusion about our activities, he spoke to me firmly and maliciously in our conversation one day, stating that when the time comes all those who put up big-character posters on Democracy Wall or run other publications will not be allowed to get away (see "My Visit to Banbuqiao").

The above is a brief account of the counterrevolutionary activities of *Exploration*.

To Those Professional and "Spare-time" Lackeys Who Curse the Democracy Wall: Does my account make you happy or hysterical? You had better hurry up and put on more performances, because your opportunities to claim rewards from your masters are numbered. JR4764

NOTES (supplied by SPEAHRhead)

1. These are the first two parts of the three-part essay "The Fifth Modernization." All three parts appear as Document 12 in the collection *Fifth Modernization* (see advertisement, page 7).
2. *Fifth Modernization*, Document 62.
3. *Fifth Modernization*, Document 55.
4. *Fifth Modernization*, Document 54.

Two views from Hong Kong

IS WEI JINGSHENG GUILTY?

In its November issue the Hong Kong magazine Zhengming (contend) carried five articles which expressed various views on the case of Wei Jingsheng. Wei, the editor of Tansuo (exploration, or probe), was sentenced to fifteen years imprisonment for reasons explained in the articles.

Of the five articles, we have selected the one most critical of the government's handling of the case, and another which takes a middle-of-the-road position. (Translations of the other three, which support the authorities in varying degrees, are available from SPEAHR for one dollar.)

By DING GONG

Recently, the People's Intermediate Court in Beijing convicted Wei Jingsheng of two crimes. One crime was "supplying foreigners with military information." This crime sounds quite astonishing. However, when one reads the actual accusation carefully, it seems somewhat ridiculous.

Wei gave out three items of "military information." First, he mentioned the names of the commander in chief and his chief of staff in the "counterattack for self-defense." In fact, these high military leaders should have been appointed openly. As the constitution stipulates that the people have the power of supervision over leaders at all levels, how can the people exercise supervision without knowing the names of high military leaders? For the results of the "counterattack in self-defense," these military leaders should be responsible to the people. The people have not only the power of supervision over them but also the power of appointing and dismissing them. Now, those who should have been appointed by the people have become a secret from the people. Is this not ridiculous?

Second, he mentioned the number of people fighting. As I remember, when the United States was at war in Vietnam, each reinforcement was announced openly so that the people could express their opinions through various channels on the number of fighting men and the scope of the fighting. However, during the counterattack against Vietnam, Beijing did not tell the people openly about these things. The war became a hidden card in the hands of a few leaders, and people in the country did not know the true situation and had no way of voicing their opinion. Exactly on the basis of this concept, the Chinese Communists considered the number of fighting men a military secret.

Third, Wei mentioned the number of casualties. In the fighting between China and Vietnam, both sides made a rough estimate of enemy casualties. What Wei said was "from X thousand to X thousand" and not the exact figures. The figures known to the Vietnamese must be much more accurate than what Wei said. Why should there be such a big fuss about the inaccurate figures revealed by Wei?

Nobody knows how accurate are the three items of military information given by Wei Jingsheng. If they are false, then obviously his crimes could not be established. If they are

true, then where could he get the information from? Wei himself was not an official of the Ministry of National Defense; he was only a lowly worker at the zoo. He had no way to get such information within the scope of his duties; somebody must have told him. Then, should whoever told him be duly punished? Why didn't he come to court for questioning? Furthermore, as regards the foreigner who received the information from Wei, why didn't the Chinese Communists take any action against him? Wei allegedly revealed military secrets on 20 February. Why was he not arrested at that time? Only after forty days, when he put up his high-character poster attacking the Communist leaders, was he suddenly arrested. Should not all of this make the people look into the case more deeply? If all those who disclosed these

What a price the Chinese people have paid to achieve a half-democracy!

three items of information were punished, then many people would be convicted. In February and March of this year, I was traveling in north China, and I heard people everywhere talking about such "military secrets" and never trying to avoid me as a person from overseas. Some people gave me "information" even more classified than what Wei said. If all these people were convicted, China's courts and prisons would be very crowded indeed.

Wei's other crime was "carrying out counterrevolutionary propaganda and agitation." When I studied these accusations in writing, I could not but feel deeply saddened. The "freedom of speech and press" laid down in China's constitution was once more supplanted by sophistry. It seems that the label of "carrying out counterrevolutionary propaganda" can again be given to those "criminals of speech, ideology and letters" as the latest product of the "label-makers." A dialog between Wei Jingsheng and the chief judge at the court is very interesting. Wei said: "I still think that the present leaders (meaning the premier and the vice premiers) are not legal."

The chief judge retorted: "Our premier and vice premiers were appointed by the decisions of the National People's Congress according to the procedure of the constitution. Is our congress not legal? Is the constitution passed by the congress not legal? Is this court of ours also not legal?" Either the chief judge was confused, or he was purposely pushing his point past reason or validity. He even forgot that the Fifth National People's Congress was not elected. So, is it legal or not legal? Are the constitution, the premier, and vice premiers, and even the court, which all came through the congress, really legal? Didn't the chief judge give himself a slap in the face?

In spite of my sadness, I had also some feeling of relief. In any case, the present conviction of Wei Jingsheng shows that China has made a small step toward the rule of law. Though the result of the trial is not rational, the trial was conducted according to the proper judicial procedures. Moreover, on television I saw that Wei had received humane treatment. There was absolutely no physical torture or personal insults, as during the Cultural Revolution. (I hope such humane treatment will appear not only on television but also all the time, even when not on television.) In comparison was what Zhang Zhixin went through, Wei Jingsheng's treatment was a kind of progress. China was eventually advanced from "no democracy" to "half democracy." How high was the price which the people paid for this! In the future, to progress from "half-democracy" to "complete democracy," the people must exert still greater efforts. JR4910

By WANG EN

The conviction in the Wei Jingsheng case aroused very serious concern of the people inside and outside China. . . .

Wei was an outstanding figure of the democratic movement in Beijing. He started an underground publication, *Probe*, published some articles against the authorities, even criticized Vice Premier Deng Xiaoping, and was considered to be a dissident holding different political views. The West took him as a pioneer of China's human rights movement and democratic movement. Against this background, Wei was suddenly arrested at the end of March. There was no further news about his arrest. Later, some more people were arrested. The Chinese Communist authorities gave no details.

Now, Wei Jingsheng has become a convicted dissident. Apparently the authorities hope to educate other people through Wei's case. The people inside and outside China also took this case as a test of the extent of democracy of China's legal system. Therefore it is necessary to make an analysis of this case.

As far as the law is concerned, Wei's conviction is basically correct. First, it should be affirmed that Wei was guilty. He was guilty of supplying a foreigner with military information [that gave] the names of the commanders of the Chinese armed forces in the China-Vietnam war, the number of soldiers sent there, and the number of casualties in battle. As Chinese people, we should be opposed to Wei's action in giving away information. On this point, Wei as the defendant also confessed in court. Moreover, there were two witnesses who testified at court. There was definite evidence of his betrayal of his motherland, and he should be punished according to the law. From this, it can be held that Wei had committed the crime of betraying his country. In any other country, he would be punished according to the law.

With regard to Wei's second crime—that is, writing reactionary articles, printing and distributing reactionary periodicals, and inciting the overthrow of the political power

Bohai Suppressed

One of the first organs of China's democratic movement, Around the Bohai was also the first suppressed (October 1979). The Editorial Department explains.

The reasons by which the Hoping District Branch of the Bureau of Public Safety of Tianjin ordered our Editorial Department to suspend our publication are: 1. Posting statements and slogans at Taian Road (i.e. Democracy Wall) in support of the "Xing Xing" incident in Beijing was in violation of the Tianjin Municipal Circular; and in terms of the consent of those statements and slogans, it was an attempt to pass on a rumor in order to seduce the public and slander the government. 2. Some of the articles published in *Around Bohai Bay* have committed serious errors. 3. The journal was sold at too high a price, thereby suggesting its extortionate character. On the basis of these three reasons, it was ordered that we must suspend our publication. And if we should continue publishing, they would adopt appropriate measures.

On October 25, Around Bohai Bay issued a statement entitled "An Open Letter to People of the Whole Municipality and the Tianjin Revolutionary Committee." The statement said:

We think the way the Hoping District Branch of the Bureau of Public Safety of Tianjin summoned the staff members of our Editorial Department for questioning on the basis of the aforesaid reasons was extremely erroneous and in contravention to the spirit of the Constitution. During the questioning, the methods of frightening, threatening and slandering used on our staff members were all unjustified. . . .

Our Editorial Department hereby formally lodges its protest against the illegal action on the part of the Hoping District Branch in illegally summoning our staff members for questioning in violation of the Constitution of the People's Republic of China!

Based on an account by Jin Jing in *April Fifth Forum*, no. 14, citing a dispatch from Tianjin dated 25 October 1979. JR5147

and socialist system of the Chinese Communist proletarian dictatorship—all these constituted criminal acts according to the constitution, laws, and regulations promulgated by the authorities. His conviction of crimes of counterrevolutionary propaganda and agitation was also carried out legally. The court's ruling on his crimes was basically legal.

Furthermore, regarding the procedure of the trial, it was

carried out according to the proceedings of open trial. In a word, Wei's conviction was legal. The defendant's action was willful, and caused definite harm. The court convicted and punished him according to the law. On this point, nobody can complain. If anybody says that Wei was innocent and should not be punished, his opinion is not justified.

However, the affirmation of this point does not mean that there are no questions about Wei's conviction-- especially questions raised from the legal point of view.

First of all, in my opinion, Wei's sentence was too heavy and too severe. In particular, the punishment came from the articles of the "Rules for Punishing Counterrevolutionaries" promulgated during the period of suppressing counterrevolutionaries at the beginning of 1951, as quoted by the Chinese Communist authorities. No consideration was given to the new situation today, in which the nation has shifted the focus of politics; and no reference was made, in consideration of the sentence, to the new criminal code. It was contrary to the principle of seeking the truth from the facts, its mistake was excessive severity, and its effect was negative. If the authorities acted according to today's new situation and took into consideration the articles of the new criminal code and how the defendant made his confession of guilt, the maximum sentence should be eight years' imprisonment, which is fairly severe. The defendant still has an opportunity to make an appeal. If the higher court changes his sentence, any unnecessary repercussions may still be made good.

Next, there are still mitigating circumstances for defendant Wei Jingsheng's crimes: (1) Wei was not in the habit of giving away secrets; this was his only offense. (2) Wei was not an important cadre holding or handling these military secrets; he was only a worker at a park service and management office, having nothing to do with the departments of military secrets. Thus, how he could get such military secrets is a question which deserves consideration. It was said that these secrets had been reported by the Chinese Communist leadership inside official circles, which many people in the country knew about. The only thing was that Wei heard about them and disclosed them to foreigners, so he argued on his own behalf that he did not realize that these were secrets. He also had definite reasons. From Wei's status, profession, circumstances under which he committed his crimes, and his subjective desire, it seems that there were great differences between him and those who committed serious crimes in giving away secrets. (3) According to the new criminal code, for gathering information on behalf of the enemy, if the case is not serious, the culprit will be sentenced to imprisonment for more than 3 years but less than 10 years. But for a crime similar to that specified in the first category of the 6th article of the "Rules for Punishing Counterrevolutionaries," the culprit will be sentenced to death or life imprisonment. If the case is not serious, he will be sentenced to imprisonment for more than 5 years. In comparison, Wei's case was apparently not serious. Besides, Wei committed his crimes after the downfall of the "gang of four" and when the Communist authorities were giving play to democracy and perfecting the legal system. His severe punishment of 15 years' imprisonment is not justified; it is unnecessary even when his other crimes, including that of counterrevolutionary agitation, were taken into consideration.

Thirdly, I think that this conviction was a most untimely one. Even though it was legal and basically correct, its correctness and legality were negated because it was untimely. The conviction brought about unfavorable consequences. What it could gain did not compensate what it lost. It was

untimely in the following respects:

(1) At the time, Premier Hua Guofeng was visiting four countries in Western Europe. As we all know, what the Western democratic countries pay the greatest attention to is the issue of human rights. Moreover, the Western press had praised Wei and his friends as the pioneers of China's human rights movement. At that very moment, he was convicted. Even if the leaders of the four countries might not express their disapproval, the people and the press would certainly voice their dissatisfaction so that Hua would receive less favorable response from the four countries in his efforts to win their sympathy and support. Why couldn't Wei's trial be held after Hua Guofeng completed his European tour?

(2) Wei and the others were arrested in the spring of 1979, and no explanation was given by the authorities later on. Nobody knew what would be the procedure for making arrests, investigation and prosecution. The case was held in abeyance for eight months. The trial could have taken place not only after Hua's return from Europe but also the next year, when the new criminal law and code of criminal procedure would come into effect.

(3) At a time when the Chinese Communist authorities were encouraging all people in high and low positions to emancipate their minds, giving play to democracy, seeking foreign capital and technology, and accelerating modernization, and when the people were vigorously striving for their fundamental democratic rights, suddenly Wei Jingsheng and those who apparently were still advocating democracy and freedom were brought to trial. This gave us the impression and the Communist authorities were again tightening up and changing their policy. Especially unconvincing was the trial of Fu Yuehua. We don't know what serious crime Fu has committed to justify her trial at this most sensitive moment and with so much publicity. We cannot but think that the Communist authorities tried to treat a legal case as a political issue for the education of the people. It is not wise to lay stress on politics at this moment. The case of Wei Jingsheng should be dealt with according to the law. Law is law. When the authorities are trying to educate the people about the law, they should not use that as an opportunity to gain political advantage. Had these two cases been political cases, then the prosecution's legal case would be undermined, and Fu and Wei would be justified.

(4) Wei Jingsheng did not want a lawyer for his defense. This shows that the system of lawyers is not yet perfect in China, that lawyers still cannot gain the general trust of the people. It is a flaw in the legal system. When defendants eagerly ask lawyers to defend them, then we may say that the legal system has taken root in the people's minds.

Furthermore, on the day of Wei's trial, the Communist authorities did not open the court freely to the public but selectively admitted only those who had admission tickets, and even denied foreign reporters and Wei's colleagues and friends the right to attend the trial. This was a very serious shortcoming. Only the reporters of official newspapers and TV stations were in the court. Their reports did not cover everything and were partial to the prosecution. For instance, defendant Wei's own pleading for innocence has not been reported objectively and justly. This shows that China's judicial system and press still require emancipation of the mind. All of these things will negate the rationality of Wei's conviction and, what is more important, will make an unfavorable impression on foreign observers and create misunderstanding between China and foreign countries. JR4910

Technology

THE WRONG MEDICINE FOR CHINA'S MALADY

From *Democracy and Modernity*, no. 1

Note: the following is a *Democracy and Modernity* (Minzhu yu shidai) "Commentator" article, dated "March 1979."

From some points of view, the fundamental reason for the slowness of the development of our country's productive forces is scientific and technological backwardness. Certain equipment, for example, is very old. So long as we dare to import foreign capital and the advanced technology and equipment from outside sources, all our difficulties will be solved as a result, and the objective of our Four Modernizations will be realized also very quickly and New China will accordingly be able to prosper and thrive. In reality, this is not necessarily the whole story. The realization of all good wishes absolutely does not depend just on how good such wishes are: it depends rather, on how such good wishes are in accord with objective, actual conditions.

We do not deny that our country at the present suffers scientific and technological backwardness in many respects and has old equipment, and it is necessary for us to break with and get rid of the parochial concept of closed-door conservatism, and to open up toward the outside world, import necessary foreign advanced technology and equipment, so as to promote the cause of our construction. But if we single-mindedly think that, by doing this, it would become possible for us to solve our problems once and for all, this would then be hardly permissible. The upshot, in such a case would as a matter of fact, inevitably be that we are going to be dragged down by the fast revolving wheels of history.

Our country, one of the world's oldest nations, is in possession of an ancient civilization and an industrious and intelligent people. In the several thousand years of the past, the development of our country's scientific and technological enterprises was not necessarily all very slow. In many aspects, it was in an advanced position in the world. According to historical records, our country's "four great inventions"—Zhang Heng's seismograph, Hua To's ulcerous-lung potion, Zu Chongzhi's circumference ratio, and silk technology—are all the world's earliest inventions, and they are, compared to the inventions of other countries, a few decades or even more than a hundred years earlier. Similar things in the possession of foreign countries have usually been developed on the basis of communication with our country. Why has such an ancient country with the world's earliest inventions not been able even to catch up with the lately arisen countries of the West in modern times? The fundamental reason is that the production relations in society have prevented the development of pro-

ductive forces and hampered the development of scientific and technological enterprises.

Anyone even just slightly informed of history would know that, in the prolonged period of feudal society in our country, peasant uprisings led to dynastic changes, with one regime time and again replacing another. But, this formula of "Han following the system of Qin" made it altogether impossible for the country to go beyond the circle of feudalism. Nor was it possible at the same time for the country to promote the development of productive forces on a large scale. But, at the time when each regime first replaced another, the rulers, in order to mollify social contradictions drastically in conflict with each other, to salve the wounds of war, and to consolidate the political power already secured, almost invariably adopted certain enlightened and liberal policies and strategies. These gave the people a definite chance to recuperate. And it was during such years that the productive forces in society gained development and that the possibility existed also for scientific and technological enterprises to rise and develop.

The development of productive forces inevitably demands that change should also take place in production relations so as to adapt to its own trend. But this, alas, happens to get in the way of the rulers' interests. In order to protect their own power and interests, they thus invariably adopt a policy of impediment. Either it was a policy to "burn the books and bury the scholars" or it was a policy to "send the offenders to the army or exile them." Or otherwise inventions were nationalized to become properties of the state and deposited in the national treasury. Little or no chance was given for them to develop further. Many inventions and creations thus became interrupted or lost their successors. Because of this, even though China has many early inventions, they at most remained inventions and could not develop.

After the rise of capitalist industrial revolution in the West, foreign goods continuously flowed into our country. They had a tremendous impact on this ancient nation of ours, and such a situation forced the productive forces in China to seek faster development so as to increase their competitive capability. In so doing, they also required changes in the upper structures of our country. This was why there exploded the well known Reform Movement headed by Kang Yuwei and Liang Qichao. But the feudal rulers were afraid that this would damage their respectability and their interests, and

they therefore adopted the policy of impediment to strangle the movement. In addition, the imperialists, in order to effect a long-range monopoly of our market and realize the goal of plundering our cheap resources, refused to permit the renovation of our country. They behaved this way even till the later period of democratic revolution. Therefore, it was impossible for the productive forces in our society to develop very fast.

Generally speaking, the situation should have definitely turned for the better after our country had entered the period of socialism. At first, there was also such an actual turn for the better. But, in whatever period, the fast and vehement development of productive forces is bound to promote change in the upper structures; this was inevitable also during the socialist period. But after this situation came to pass, certain people inside the party, because of their errors in theory and misconceptions in cognition, still followed the steps of the earlier rulers and adopted a policy of impediment. Especially after Lin Biao and the Gang of Four gained power, they adopted actions of suppression which were even more

Why has this ancient nation, credited with the world's earliest inventions, been unable to catch up with the West?

startling than those of earlier rulers. They imposed a label of "reaction" on all those who had achieved some results in research so as to put them down. They even uttered the nonsense that "China needs laborers without culture." They strangled China's newly emergent forces and revolutionary factors, and caused our country's scientific research enterprises to stay in a stagnant situation and social production to fall in a state of retrogression. They extended the already reduced gap between China and foreign countries anew, and hence led to the emergence of the present situation, a situation full of wounds and flaws.

To sum up what we have said above, it is not that the people of our country are not intelligent, but that they have been suffering a serious illness of ideological impediment. This is precisely the pathological origin and pathological root of our country's economic backwardness. If we do not cure this illness, it will be impossible for the productive forces of our society to gain faster development.

Now, the whole nation's emphasis on work has shifted to the side of socialist construction, and the whole party as well as the whole nation are engaged in realizing the Four Modernizations. But we should see that feudal fetters have not yet been entirely smashed, and that the people still have some remnants of fear in their hearts. The root illness pertaining to ideological impediment is not yet eliminated. Obstacles in the way of the realization of the Four Modernizations are still quite strong. If we only take the medicine of "importing technology," it would be impossible for us to cure our illness of ideological impediment. And if we do not cure this illness, it is hard to avoid that someday this illness will again develop and spread, paralyze ourselves and turn ourselves again into the "Sick Man of the East."

JR3922

On Unemployment

From Enlightenment, n.d.

Concerning whether a socialist country has any unemployment problem, should such a country encounter an unemployment problem or not, and how it is to solve its unemployment problem if and when the latter does occur, no satisfactory answer has been found even after an exhaustive search through the classic works of Marxism-Leninism and Comrade Mao Zedong.

As to whether a socialist country has any unemployment problem, this is not a theoretical question but a practical question. In the case of other (socialist) countries, we lack sufficient understanding. But in the case of China, at least, unemployment does exist and there are not just a few problems in this very regard.

Let us give some random examples:

In the cities, there are high school graduates who cannot pass the entrance examinations to enter the universities and there are also students who are left behind to wait for relocation because of certain difficulties or because of illness; they often have to wait for several years before they are actually relocated. Intellectual youths have been sent to the countryside and in turn "sent back because of illness" or "sent back because of difficulties" and who must therefore again wait for relocation in the cities. People have been dismissed by the (state) enterprises and hence deprived of their public jobs. People have been sent home during the Cultural Revolution who have not found their means of livelihood. Children of certain families who, because of the hardship of life at home, have wished to join the work force cannot find opportunities. All of these belong to the category of the unemployed. Intellectual youths already settled in production teams in the countryside; people who have gone through labor reform but who remain incapable of maintaining themselves or their families; cadres sent down to the countryside whose achieved value of production turns out to be insufficient to pay off disbursements pre-fixed by the state; temporary workers in the cities who lack definite occupations: all of these may be called semi-unemployed.

Someone has said that, in China's countryside, there is a surplus labor force of 40 million. Along with the gradual realization of the Four Modernizations in the countryside, tens of millions of people shall be drifting into the cities in the years ahead. These people again will comprise a gigantic reservoir of the unemployed. Unemployment has thus already become a serious problem in contemporary China and constitutes an important factor in China's disunity and instability. Unemployment is a serious obstacle in the way of the Four Modernizations, and it will simply not do to adopt an attitude of the deaf and the mute. . . .

Our present employment system basically falls in the mode of the Soviet system of the 1940's, (which, of course, has long been outdated). In addition, there have been adjustments since 1958 and the various changes during the Cultural Revolution which turned it into a rigid employment system which is not under a management based on economic ways and means, which is confusing, and which leaves its front door widely open while shutting its back door tightly. Only a

On Law in China

"When the rule of law is destroyed, no one will call out on its behalf. No one fights for it, but everyone must pay for its demise.

"Law is necessary to insure people's rights and prevent feudal dictatorship, and to make sure that 'public servants' do indeed serve their masters — the people. This is what democracy means.

"The people still wish that established laws would be enforced. However, when lawful people remain in prison, the public doubts whether there is any law at all. The threats of being declared 'ideological criminals' hangs over everyone like a sword of Damocles.

"Under such circumstances it is not to be expected that people will be very enthusiastic about carrying out the government's Four Modernizations program, for they cannot see that the government is *their* government."

—Qiu Mu

Paraphrase from *Exploration*, 24 August 1979, JR4764.

serious reform administered to this system can help adapt it to the needs of China in the realization of her four modernizations today.

Therefore, we propose the following measures:

1. Apart from our state's own investment in the process of developing certain enterprises and business units, we should encourage collectivities (street communes), organizations, individuals, overseas Chinese and foreign countries to invest in China for the development of such enterprises and business units. The emphasis of our state's own developmental investment should be placed on heavy industries, basic construction in communication and transportation, enterprises and business units of the first class (mining, farming, energy resources development) and other important key projects which concern state planning and people's livelihood in general. Other points of emphasis in this investment venture should include enterprises and business units of the second class and the third class (processing, commercial services) where the results of investment can be secured quickly, where other aspects of involvement are limited, and where a large labor force can be easily accommodated. The state should formulate an "Investment Code" to prescribe the realm and amount of non-state investments, their modes of management, their taxation, the distribution of their profits, and the time-limit for their purchase and sale, so as to provide a long-range policy, and thereby also provide more and livelier opportunities for employment. As the state's own ability becomes sufficiently strengthened, these enterprises and business units started by non-state investments may be purchased by the state again in

accordance with the concrete conditions then prevailing.

II. We should set up an Unemployment Relief Fund to provide short-term relief, such as one year, to the unemployed. The amount of such relief should be one-fourth of a given person's original wage, so that it should be just enough to maintain himself and encourage him to find pertinent work as quickly as possible. The state should formulate an "Unemployment Relief Law."

III. We should establish employment services offices to register unemployed personnel in the various cities and regions and localities, and, on the basis of each individual's characteristics, interest, ambition, education, etc., to introduce them to the various employment units for possible assignments.

IV. We should establish institutions of vocational education to provide the unemployed personnel with the kind of training specifically needed by certain enterprises so as to enable them to meet the conditions of employment. The length of such training may be generally set at three to six months. During the period of their training, they should be given subsidies better than the amount for unemployment relief allowable.

V. The state should authorize the various enterprises to reduce or dismiss personnel not suitable to continue working there (including workers and managerial cadres) and also to recruit, through the employment services offices and institutions of vocational education, the kind of working personnel they need. The state should formulate "Regulations for Employment."

VI. Every citizen has the right to choose his own work. If he is not satisfied with the kind of work, the leadership, and the kind of compensation at his present unit, he may request to resign and inform the employment services offices so as to find some other suitable work. In order to protect and insure operations of the key industries, where the kinds of work

Every citizen should have the right to choose his own work.

happen to be somewhat harmful, where heavy physical labor is involved, and where national defense is at stake, preferential methods may be adopted to achieve personnel stability by attracting the needed talents and personnel; but no administrative approaches should be used to restrict the movement of such talents and personnel.

VII. For the exportation of the labor force, the state should formulate laws to prescribe the categories, conditions, agreements, time periods and procedures by which workers and technical personnel may leave the country to go to work in foreign countries.

The above seven items are conceived only as preliminary steps; they are by no means complete. But I believe that if they can be gradually carried out, they will enable the entire society to become lively and vigorous, with everybody taking it as an honor to join the work force and everybody endeavoring to seek progress and advancement, leading to a political outlook of overall competitiveness and of alertness and activity.

It is hoped that everybody will join the discussion of this problem in the days ahead. JR3987

Heard at Democracy Wall

By XIAO ZHEN

From *April Fifth Forum*, November 1979

The Xidan Wall is a brick wall of several hundred meters in length situated nearby the Xidan Playground. Ever since the smashing of the "gang of four," citizens of the Beijing Municipality have been incessantly putting up various big-character and small-character posters there to accuse the "gang of four" of their crimes, reprimand Wu De, and cry out for the April Fifth Movement. Hence, people call this wall "Democracy Wall."

On 15 November 1978, the new Revolutionary Committee of Beijing, with the approval of the Party's Central Committee, declared that the Tian-an-men Incident was an "entirely revolutionary action." The citizens of Beijing, proud of their glorious April Fifth tradition, loudly proclaimed their joy. On Democracy Wall, the hundred flowers all bloomed. At the base of the wall, thousands crowded together. People — from Beijing, other provinces, and even from foreign countries — irrespective of their sex or age, gathered together despite the chilly, dusty wind. Everybody was busy squeezing forward, watching, reading, and copying day and night without stop. There was thus aroused another huge mass movement.

On November 25, this movement reached a high tide. That afternoon, thousands gathered in front of the Xidan Democracy Wall, began by looking at the big-character posters and discussing the big-character posters and eventually developed a large-scale forum on democracy. The forum lasted four days, and the issues discussed were extremely broad. The purposes formulated by those who presided over these discussions were:

1. To practice, by taking practical action, what the Constitution confers on the citizenry: "Citizens shall enjoy the freedom of assembly and expression."
2. To ascertain the cause and origin of the "gang of four's" accession to power, to demand for socialist mass democracy, and to gradually realize the principles of the Paris Commune under the situation of stability and unity.
3. To eliminate superstition and emancipate people's thinking and thereby sweep away ideological obstacles in the way of the realization of the Four Modernizations, and hence play the role of pioneers in science and in democracy.

Inasmuch as this author has only one pair of eyes and one pair of ears, the speeches and discussions he witnessed at the time were limited to the following:

"*People's Daily* [November 25, 1978] published an article on how Stalin once criticized Lenin face-to-face. Has there been anyone in China who dared to criticize Chairman Mao face-to-face? None! Not a single one!"

Some among the audience shouted: "Yes, Peng Dehuai!"
"... We demand democracy! We demand people's rights! We demand people's livelihood! ..."

A small lad said: "I may know nothing else, but I do know that when I came back (from another place) last time, dumplings cost only 1.3 yuan a catty, and when I came back this time they cost 1.5 a catty! ..."

A person who professed to be a university teacher said to the masses around him: "I am a 'Rightist' whose label as such has just been removed..." He discussed the question concerning the system of the state. "Legislative, executive, and control organs should all be independent from each other and should at the same time check and balance each other. ..." He also said that "In the past, we were used to singing 'The East Is Red' first before we started a meeting, and singing 'Internationale' again at the end. But I wonder if all of you have noticed, in 'The East Is Red' there is a sentence 'He is the people's greater savior' and in 'Internationale' there is a sentence 'There has never been any deliverer.' Are there any comrades who understand foreign languages here? I wonder whether there is any difference between 'great savior' and 'deliverer'? As far as we know, they are the same."

"The Cultural Revolution was a hurricane to sweep away all dirty mud and water patches; but the pity was that the dirtiest things happened to be right at the center of it! ..."

Someone issued the call: "Comrade! If anyone knows those who beat other people to death or hurt them during the Tian-an-men Incident, please write to Comrade XXX at the Department of Law, Beijing University!"

There were the so-called 'Three Be-Loyal's,' the so-called 'Four-Unlimited's' — 'Unlimited respect,' 'Unlimited admiration,' and some other so-called 'Unlimited's' — which I can no longer remember! Nor do I care to remember. ..." [Young people cheering.]

Even a movie was subject to topsy-turvy cutting. (Young people shouting: "But they themselves would watch any kind of movie!") When "Look at the Nativeland" was to be staged there had to be a symposium too — which makes people laugh off their teeth!" [Young people cheering.]

Three-year olds had to be subject to their guidance. Youths had to be subject to their guidance. People of 70 and 80 years old, too, had to be subject to their guidance. The people as a whole had to be guided by them for their entire life. [Cheering.] ...

We are not afraid of death! The blood of the martyrs of April Fifth has already been shed here! (pointing at the platform of the Monument). [Someone shouted from the side: "Truth will never die!"] We must amplify the April Fifth spirit! We must not merely decorate

According to "The East is Red" Mao was our savior; but the "Internationale" says that there are no saviors.

the frame of the mirror of history with this spirit and then simply let me look at it.

We must uphold our Party! But we must also supervise this Party! And make it public servant of the people! All of us who come here today are heroes! We must take back with us the spirit of this November 25 Democracy Wall Symposium! And spread it far and wide!

The electric power for his transistorized microphone failed, and it started to buzz. He then laid down the microphone and started to shout at the top of his lungs. By and by, he lost his voice. A presiding officer beside him let him rest and announced that he would like to have the [one character of a

'The only people who really acclaim China's so-called fighters for democracy are a small minority of foreign reactionaries hostile to the socialist system, and a handful of domestic class enemies.'

— *Workers' Daily*

AFP-10†12D79

two-character adjective phrase illegible.] comrade speak! After he finished speaking, the presiding officer then announced: "Participants in the Nanking Incident please speak." (Someone shouted from the side: "Learn from the friendly warriors of Nanking! Pay our respect to the friendly warriors of Nanking!")

A man of about 30, who wore glasses and who looked like a rather youthful teacher, took over the microphone and started to speak — as if he was lecturing in a classroom, with a Nanking accent: "We are here on business assignments, and we would like to pay our respect to the friendly Beijing warriors!... During the Cultural Revolution we all swore to protect Chairman Mao with our lives! We have thought of assassinating Jiang Qing, but we could not think of any way to eliminate the root and origin of the 'gang of four'..."

"Some proposed to call [this place] 'Hyde Park,'"

"Let's still call it 'Democracy Wall!'"

Some foreigners in fancy clothing were very active. They wedged themselves among the masses in an attempt to copy the big-character posters on the Wall, to take pictures of them, or to ask an interpreter to read them so that they could record them with their recorders. Other foreigners carried on conversations with Chinese, and they were usually surrounded by others who would stretch out their necks and their ears to listen.

At about 7 pm on the 26th, columnist [Robert] Novak of the *Washington Post* came to Democracy Wall and said to the masses: "Tomorrow morning I am going to visit Vice Premier Deng Xiaoping. If you have any problems, I can relay them for you. The day after tomorrow about this time, I'll be here to give you the answers!" He distributed his calling cards, and young people wrote various questions on them, such as: "How does he view Xidan Democracy Wall? When will the new policy on Liu Shaoqi be put into effect? When is the new policy on Peng Dehuai going to be put into effect?..."

Thus, people crowded before the Xidan Democracy Wall, reading the big-character posters; a group here and a group there, expressing their opinions, would remain throughout the night.

In the evening of the 27th, democratic discussions at Xidan continued, and on an even larger scale, with thousands present. [The crowd was so big that] the organizers took the people to Tian-an-men Square. Some in the ranks of the procession would link their hands, and some took the lead to shout the

slogans "We demand democracy!" "We demand freedom!" Thus they proceeded through Changan Street to meet one another before the Monument. Several hundred of them sat erectly in the center of the square. Another several hundred stood around them in an outer circle or climbed up to sit on the rails of the Monument. Those who were even farther would just stand on their bicycle frames.

The organizers of the democracy symposium stood on the platform before the Monument, holding loudspeakers in their hands and shouting out their remarks loudly. The speakers were all very young; despite the chilly wind, they shouted urgently and loudly into the transistorized microphone to make clear their agitated words.

... I came here after eight hours of work, including washing my baby's diapers [laughter], and I am going to return to my office and work hard too! We must do well with our Four Modernizations.

We have no particular ambitions. We were common people, we are common people, and we will remain common people! But we want to be common people who are free and happy! [Cheering.] The reasons the old generation of revolutionaries fought to win the country was precisely to give the people their freedom. But why is it that in those days 800 million people could not win the struggle against a mere Four?... In order to eliminate this root and origin, we must carry out the principles of the Paris Commune. Marx said: The three principles of the Paris Commune are, first, people of the whole country would elect the supreme leader; second, this leader can be dismissed and replaced at any time; and third, leaders of the country must not have a salary higher than that of the common workers!..."

Finally, the presiding officer announced that he would teach the audience to sing the song "Democracy Wall."

On November 28 at 7:00 p.m., several thousand young people again gathered in front of the Democracy Wall. The Sponsor of the "November 25" Democracy Symposium started to lead them to sing the "Internationale" by way of the microphone. The magnificent singing of these thousands of young male and female youths thus raised echoes through the chilly wind. After they finished singing, he led them again shouting slogans of the Democracy Symposium:... There was excitement amidst the crowd. More and more people came to join them, perhaps as many as ten thousand.

A sponsor spoke loudly through the microphone in his hand: "At 7 pm on the 26th, when we held our Democracy Symposium at Xidan, columnist Novak and a Canadian correspondent relayed the questions we raised to Vice Chairman Deng Xiaoping. At 7 pm today, he came to Xidan to give us the answers. Now let me read to you, although these are just some general ideas. Vice Chairman Deng said: Democracy Wall is a good thing. The people do enjoy a right to freedom, but certain ways of raising the question are not something that I can fully agree with. For instance, to say that Chairman Mao's merits and faults make up about a 70 percent to 30 percent ratio, this is not what I can agree with. Chairman Mao's merits are far more than this 70 percent to 30 percent ratio would suggest. As for Peng Dehuai, his merits and faults perhaps make about a 60 percent to 40 percent ratio, and this would be my own case as well. [No answer was given on Liu Shaoqi.]"

"This shows that the Party's Central Committee headed by Chairman Hua supports us!"

The young people immediately hailed: "Support Chairman Hua! Support the Party's Central Committee!"

Let our thinking break through the fetters! Long live the people! Long live democracy!...

JR5147

December 28, 1978

“Anti-Rightism” or Anti-Democracy?

By Huang Xiāng

From *Enlightenment*, 24 March 1979

Note: The following is an extract from an article from Enlightenment Series (Qimeng congkan), published in Guiyang. The original title of the monograph was “On the Effects and Countereffects of Historical Personages on History, and the ‘Leftist’ Trend of Thought and the ‘Leftist’ Opportunist Line in the Party.” The author is the democratic movement’s leading poet (see SPEAHRhead 4/5, p. 3, and The Fifth Modernization [advertized on p. 7 above], Section 15).

Many important events or movements have occurred in our country since it was founded. Both “leftism” and “rightism” objectively existed in all these events or movements. Yet, we invariably stressed the need to oppose “rightism,” “rightist” opportunism, “rightists” or “rightist” statements, but ignored, or failed to stress, the need to oppose “leftism,” “leftist” opportunism, “leftists” or “leftist” statements. Both “leftism” and “rightism” are harmful to revolutionary interests and the revolutionary cause, but we have only stressed one and neglected the other. This resulted in the prevalence of the “leftist” trend of thought and the development of the “leftist” opportunist line in our party since our country was founded. Thus even correct lines, which corresponded with social developments, were branded as “rightist opportunist lines,” to be attacked and strangled by the “leftist” opportunists, and such ideas as “left better than right” and “rather left than right” became popular inside and outside the party and produced such harmful effects that even correct lines and party principles and policies could not be correctly carried out. In fact, the word “left” used by the “rather leftists” should be in quotation marks. Genuine leftism stands for revolution, correctness and progress, while leftism in quotation marks is the same as, or worse than, rightism and may bring even more serious damages to our Party, our state, our people and our cause.

What was the nature of the antirightist movement in 1957? Was it antirightism, anti-intellectuals, antipeople or antidemocracy? No matter how people may try to cover the facts, it was antidemocracy instead of antirightism. Judging from its essential aspect, or its effects on the society, we can without hesitation call the antirightist struggle a product of the “leftist” trend of thought and a reflection of the “leftist” opportunist line in the party with the spearhead of the struggle directed at the intellectuals.

At the beginning of 1957, our party carried out an open-door rectification and called on people throughout the country to air their views freely. This was a sign of the party’s strength and an embodiment of democracy, and was helpful in improving party work and implementing the policy of “letting a hundred flowers blossom and a hundred schools of

thought contend.” During the movement to air views freely, people raised many questions and revealed many contradictions through big character posters—questions of ideology and understanding as well as political questions and contradictions among the people as well as contradictions between the enemy and ourselves. Yet, most of the questions belonged to the sphere of ideology and consciousness. People generally expressed their views on some party cadres’ ideological and work style and opposed subjectivism, bureaucracy and dogmatism, all of which deserved to be in this movement. It cannot be denied that a very small number of people, or just a few individuals, were not helping in the party’s rectification but attempting to overthrow the Communist Party and the socialist system. However, these people were very, very few, and they should be separated from the vast majority. Yet the antirightist struggle began with upholding democracy and ended with suppression, and the open-door rectification was only a prelude to the laying of a trap for the masses. All those who had aired their views were caught in the dragnet, and a new category appeared in our country. In addition to the four categories, “rightists” became the fifth category, and the overwhelming majority of them were intellectuals.

In the struggle against rightism, all people designated as rightists were treated like enemies and the targets of dictatorship. The number of the victims numbered more than 400,000. Were they all enemies? Were all these intellectuals enemies too? Was this antirightism, antipeople or antidemocracy? If we include the dependents of these rightists, (because the dependents were also involved) the number should be far greater and might run into millions according to an estimate. From the standpoint of our party, what trend of thought and what line could be reflected when so many people were placed in opposition to a republican state and became victims of political discrimination and attacks? From the social standpoint, could this be called a socialist system? Did this system essentially embody people’s rights as their own masters? Did it mean the loss of their democratic rights so that they had to suffer brutal suppression? Has not the result of the expansion of the antirightist struggle proved that a “leftist” trend of thought and a “leftist” opportunist line existed in our party? Has it not accurately proved that shortcomings and defects

**Seize the hour; seize the day.
Don’t leave the task to
posterity.**

existed in our system and that our system was far from perfect? Today, is it still not time for people to be aware of the dangers of this trend of thought in the same way when we repudiate the dangers of the rightist trend of thought and the rightist opportunist line? Is it not time yet for people to boldly rectify these shortcomings and defects in our social system?

Intellectuals became the targets of the antirightist struggle, and general problems of ideology and understanding were magnified as political problems. This was a big loss to socialist construction, because it severely dampened the intellectuals’ enthusiasm to serve socialism and undermined people’s, including the intellectuals’, belief in the party’s high prestige. In other words, they had no more confidence in our party and our government. As everyone knows, intellectuals are the treasure of society. In revolutionary struggles, many

fine elements among them were the first to propagate revolutionary ideas. During construction in times of peace, they formed a dynamic force in introducing advanced foreign ideals, science and culture, and in promoting social productive forces because of their scientific, technological and cultural background. Why should these intellectuals be treated as antagonists or enemies? Could it be true that all these 400,000 and more intellectuals, designated as rightists, opposed the Communist Party and socialism? Couldn't we say that the vast majority of them were already part of the proletariat? This persecution could only indicate those dictators' and autocrats' fear of people, particularly those who had ideals and knowledge and were capable of speaking out the truth.

In the antirightist movement, hundreds of thousands of people were tagged as rightists, and most of them wore this tag for over 20 years. What a long oppression and suffering for them mentally and spiritually! Among those designated as rightists, many were backbone elements of our nation and the cream of society. They were quite capable of making outstanding contributions to our country and our nation, and to science, technology, literature and art. However, for more than 20 years, their knowledge was not made use of and they had no opportunity to employ their talents in the name of socialism. More than 20 years have passed, and their golden age is gone. Even though their designation has been removed, they have either become senile or died.

Many public statements have been criticized and many people victimized since the antirightist struggle. No clear line of demarcation can be drawn between truth and fallacy, between right and wrong, and true and false. First, is the socialist system a perfect one, or are there shortcomings and defects in this system? Does exposing defects mean opposing the socialist system? Secondly, since our country was founded,

Intellectuals are the treasure of society. Their condemnation as "rightists" was a great loss to the socialist construction.

has democracy existed and developed inside and outside the party? Has power been excessively concentrated in individual dictatorship? Thirdly, do individual party leaders and cadres actually represent the party? Does the voicing of any complaint before ordinary responsible persons or cadres mean opposing the party? Fourthly, what trend of thought and what line was reflected in the party during the expansion of the antirightist struggle? What was its character? While opposing rightist opportunism, would it be right to oppose "leftist" opportunism?

The movement to air views freely helped develop democracy. Yet, the expansion of the antirightist struggle was an outrage against and suppression of democracy. "Letting a hundred flowers blossom" came to mean letting "one single flower" blossom and "letting a hundred schools of thought contend" meant letting only one school dominate. After all, what one says goes.

The antirightist struggle was a large-scale movement to suppress democracy, and the victims were mainly nonparty intellectuals. . . .

History is an unbiased judge and can draw objective conclusions by seeking truth from facts. From our recollection, we have already seen that the "leftist" trend of thought and the "leftist" opportunist line have the same, or even greater danger than that of the "rightist" trend of thought and the "rightist" opportunist line. We review history mainly because of summing up our experiences more fruitfully and drawing lessons from them in order that we can realistically face the situation of today's China (the conditions of the state and the will of the people). We will then have far greater confidence in facing the future, we will be vigilant against, and prevent a comeback of the "leftist" trend of thought— which has not yet been widely criticized and liquidated— or another restoration of feudal autocracy of the Lin Biao and Gang of Four type, which will bring another catastrophe to us and our future generations.

For 20 years and more, from the antirightist struggle to the end of the Great Cultural Revolution, a "leftist" line ran through the history of our party. This line has been persistent and continuous, and inexorably proved by practice to be erroneous.

Now is the time to sum up historical experiences comprehensively.

Ten thousand years are too long. Seize the day! Seize the hour! Don't leave this task to posterity.

Don't let a dead man, who is already in a coffin, continue to dominate the thoughts of living people.

Living people are living, primarily because their minds are alive. In the face of realities in China, the living generation are most entitled to the rights of speech and decision on how to think and how to act.

There is no limit to the search for truth, and historical events and personages are not sacred and untouchable.

JR3922

EMIGRATION

"I asked a colleague of mine what was the first thing they talked about when he returned to work after the New Years Day. He said: "Register, register soon!" I asked: "Register for what?" He said: "Register to go abroad. Everybody from clerks to division chiefs have been screaming about registering to go abroad!" As far as I know, this friend of mine works in a well-known propaganda department.

It is said that when Deng Xiaoping discussed immigration problems with Carter, Old Deng said China can let ten million people go to the United States every year. Those who had applied have already received approval to leave."

—By An Xin
From *Autumn Fruit*

March 1979, JR4532

Modern “Religion”

From *Beijing Spring*, 9 January 1979

For the Chinese, especially the young people, living in the 70's of the 20th century, to say that a sort of “modern religion” once existed in China seems to be rather bewildering. Anyone knows that the socialist China is an atheist state. **Modern Thailand takes Buddhism as its national religion, the Arabs generally believe in Islam, and many Westerners remain devout Christians.** In modern China, the religions which produced a tremendous influence in history truly do not have much effect any more. However, in the past decade or more, a new kind of religion emerged on the great land of China. It was the “modern religion.”

Besides its many similarities with the old religions in history, this new religion also had its new characteristics.

To drug the people groaning in misery, the old religions and theology created many lies. They asked the people to set their sights on the heavenly kingdom, claiming that the earthly life was merely a passing instant, serving only as the transition to the world of yonder shore, and that only life after death was eternal. Precisely as Lenin said: “To those who work all their lives and remain poor all their lives, religion teaches them to be docile and patient in this world and to place their hopes in the bounties of the heavenly kingdom.” (*Collected Works of Lenin*, vol. [illegible] p. 62)

Modern religion was also thus. To hoodwink the people, it also created many lies. It led the people to fix their eyes on the frightening hell—“capitalist restoration,” claiming that large-scale violence, house searches, arrests and imprisonment, illegal punishments and “legitimate” flogging were all necessary, because they would prevent a great calamity—a “restoration” where “tens of millions would lose their lives.” Therefore, the people must be patient about all the outrageous acts of Lin Biao and the Gang of Four. All these were like the path leading to paradise, merely postponing the arrival of “the last day of the world” and serving as the golden bridge to the “Pure Land.”

Any religion has its own special rites. According to the old religion, the individual was insignificant and sinful. To redeem one's sins and to save one's soul, one must prostrate oneself before the ever-incomprehensible deity; one must pray and repent. Only thus would it become possible for one to enjoy the eternal happiness of the coming life. Modern religion was also thus. You wish to build a modern socialist power, to seek [illegible and missing words]. Newspapers, periodicals, broadcasts [illegible]. Do you like those things? Then, it can only indicate the darkness and filth in the depth of your soul! Therefore, arriving in this world, one must, “with reverence and trepidation,” seek salvation and, in the depth of one's dirty soul, “explode the revolution,” daily “seeking instructions in the morning” and “making reports in the evening.” These were the basic rites for the salvation of the soul.

The religion of the Middle Ages was a world of darkness. The pope and the bishops lived in luxury and extravagance,

leading a shameless life. They were a group of decadent, evil, and hypocritical individuals. Their occupation was to create disputes, incite hatred, and sink the people into the ocean of blood and tears. To religion, tranquillity and happiness would make the people degenerate, and become indifferent to the church. To carry out the will of the deity, the church wanted the people to quarrel constantly and its disciples to carry on forever their disputes. They also corrected fallacies by means of sacred religious courts, torture by fire, flogging, exile, and imprisonment, so that heresies had no way to spread. For the supreme glory of the deity, they turned the flourishing land into a desolate region by means of all kinds of persecutions and suppressions.

Modern religion was also thus. Lin Biao and Jiang Qing were a pair of male and female popes, and those like Ye Qun, Zhang Chunqiao, Huang Jinhai and Chen Ada served as their cardinals and bishops. While not as widespread as the old religion with their monks and priests, and popes and bishops, the chiefs and the members of the factional system of the new religion all lived a decadent and extravagant life, and everyone of them embezzled the assets of society in large quantities by means of the power in their hands. For power, they did not

The old religions drugged people groaning in misery. Now, a new religion has devastated the physical and social sciences.

hesitate at inciting large-scale violence time and time again. They carried out illegal investigations and arrests, encouraged betrayal and did their utmost to provoke, alienate, and split.

The old religion provided that the popes, bishops, and priests were only responsible to the almighty deity for their activities, and the people had no right to inquire. The people were not permitted to express their opinions; the will of the deity was followed for everything. Meanwhile, modern religion provided that those like Lin Biao and the Gang of Four were only responsible to the “revolution” for their activities, and the people, similarly, had no right to inquire.

Thus, similar to the old religion using the name of “God,” modern religion, under the name of “revolution,” legalized Lin Biao and the Gang of Four's temporary dictatorial control. Similar to the “heretic” under the old religion, whoever objected to their ways became a “counterrevolutionary.” Similar to the many kinds of persecutions and punishments, only those with heretic thoughts and prejudices found them criminal. . . . As far as the old religion was concerned, in the

SAFEGUARDING CIVIL LIBERTIES

From *In Search of Truth*, 1 March 1979

China's Constitution provides for the extensive democratic rights of its citizens, such as, the rights to vote and to be elected; the freedoms of speech, correspondence, publication, meeting, association, marching, demonstration, and strike; the inviolability of personal freedom and dwelling; the right to labor; the right to rest; the right to education; the freedoms of scientific research, literary and artistic creation, and other cultural activities.

As our constitution fixes the extensive democratic rights of the citizens in form of law, every citizen in our socialist society may fully exercise and apply the various items of his democratic rights. In the course of such exercise and application, he directly or indirectly contributes his own strength to the socialist revolution and construction of our country.

Safeguarding the democratic rights of the citizens is an extremely important aspect of strengthening the socialist legal system. Any act in violation of the citizens' democratic rights is a subversion of the socialist legal system. To strengthen the socialist legal system, we must firmly and comprehensively safeguard the citizens' democratic rights.

Safeguarding the citizens' democratic rights is the fundamental guarantee for the development of socialist democracy. If such rights do not receive firm protection, it will be very difficult to develop socialist democracy. Therefore, to develop socialist democracy, primarily we must firmly and comprehensively safeguard the citizens' democratic rights.

Safeguarding the citizens' democratic rights is a prerequisite

to realizing socialist modernization and construction and completing the general task of the new era. Only when such rights are protected will the rights of the masses to be masters be protected, their enthusiasm and initiative in the socialist revolution and construction be activated, and the wisdom and talent of each and every individual be brought to full play. Only by mobilizing all active elements, making each and every individual contribute his entire talent and maximum strength, and utilizing the concerted effort of the people of the entire country will it be possible to build China into a modern socialist power within the shortest possible time. To complete the general task of the new era, we must firmly and comprehensively safeguard the citizens' democratic rights.

Since the Constitution provides for the extensive democratic rights of the citizens, such rights are safeguarded by law, and they should also be protected by state organs. Any act of infringing upon the citizens' democratic rights is a criminal act in violation of law and must be punished by law. The people's court, people's procuratorate, and public security organ must consider the protection of the citizens' democratic rights an important task. Other state organs must also consider it one of their own basic functions. Any act of violating the citizens' democratic rights is a manifestation of the subversion of the socialist legal system and socialist democracy, and of the sabotage of the performance of the general task of the socialist new era. Therefore, state organs of all levels and the people of the entire country must wage a firm struggle against all acts and phenomena in violation of the citizens' democratic rights. State organs of all levels must firmly safeguard such rights. JR3922

realm of belief, it was impossible for God's agents on earth to make a mistake. Similarly, as far as modern religion was concerned, anything Lin Biao and the Gang of Four did was proper and unassailable!

The old religion looked upon practice and science with hatred, because practice would expose the absurdity of religion and the theological system, while science would make the laymen conceited, and discourteous and disobedient to their spiritual mentors. As far as the old religion was concerned, only one subject among the sciences was necessary, which was theology, serving as its ideological system. Practice was most abominable and most harmful to theology. Since there were already the ready-made truths from Heaven, why would it be necessary to search for and test truths in practice? To master the science of theology, there was no need to conduct any social practice; one only had to accept the manipulation of others. Meanwhile, modern religion also looked upon practice and science with hatred.

Marx and Engels developed socialism from fantasy to science, while Lin Biao and the Gang of Four made an epochal contribution by turning socialism from science to religion. As far as they were concerned, their pockets were filled with truths, and their work was to ponder the eternal truths for others. They themselves were the alter egos of truths. Look at Lin Biao and Jiang Qing, the pair of popes: Were they not wearing saintly halos dazzling with truths on

their heads? Their words were not merely truths, but also the criteria to test truths. Anything in conformity with their thinking was true; anything running counter to their thinking was false! They were the saviors, the great personages riding high above the people! As for the masses, they were merely the masses, and they only deserved to look up and listen, with their mouths open, to the truths declared by them. Without their help, the people would only find themselves in the darkness of ignorance. Thanks to their concern, when they scattered from the sky a little powder of truth, we avoided all kinds of disasters and gained a tremendous happiness! Thanks to "mass supported" modern religion, the natural sciences, philosophy, the social sciences, and medicine, the useless sciences in the great land of China, suffered violent devastations, while only their modern theology, the one and only true science, made an unprecedented development!

The similarities between modern and old religions indicated that Lin Biao and the Gang of Four truly deserved to be considered the talented successors to the feudal despotic tradition of the Middle Ages! Not just successors, but they were the developers! They raised ancient feudalism to modern feudalism! . . . Thanks to Lin Biao and the Gang of Four, thanks to their teaching . . . we have today recognized the importance of science and democracy in the socialist era!

Let us discard Lin Biao and the Gang of Four's modern religion and the old religion into the trash can of history!

CRISIS OF CONFIDENCE AMONG CHINA'S YOUTH

By Lu Lin

From *Exploration*, October 1979

Some people who are concerned about current ideological trends among young people recently put forward the following questions to us: What do you young people have in your minds? Why do you not believe in truth...? The situation much resembles that outlined by Xing Benshi in the September 20 issue of *Workers' Daily*: "Nowadays there is a crisis of confidence among some of our young comrades. What is the 'crisis of confidence'? It means that in the eyes of some of our young comrades, there currently seems to be nothing worthy of their belief. They do not believe in Marxism-Leninism-Mao Zedong Thought, the leadership of the Party, the superiority of socialism, or the bright future of communism."

First of all, I believe that this way of saying things is unscientific. What is truth? Marxism is probably truth. However, if we look at the realities of Chinese society under the guidance of Marxism and also the "happy life" which Marxism has brought to most of the young people, we should be able to understand why this crisis would occur. Some people may say: what was developed before the collapse of the Gang of Four was not genuine Marxism. Should what has been developed since the collapse of the Gang of Four then be Marxism? Judging from the official attitude, it is indeed genuine Marxism. Now let us look: With a simple statement by Mao Zedong: "With you in charge, I am at ease," Hua Guofeng thus became the leader of one billion Chinese people. . . In point of fact, in acting in this way, Mao Zedong regarded himself as the founding emperor of the state and the people as the property he had earned through the struggle for the country. And during his old age, he granted his legacy to one of the dukes whom he trusted. Is this kind of feudal and hereditary Marxism reasonable? Of course, some people may say that it is the need of history and so on and so forth. However, no matter what excuses they find, they are quite unable to demonstrate that this way of doing things is correct and reasonable.

Here I do not mean to say that if Hua Guofeng were not the chairman, all the problems of China would be solved. I just want to explain that this way of doing things is not reasonable and cannot win the trust of the people. In that case, the people will lose their interest in you and it would be impossible to arouse the belief of China's young people in Marxism again.

Next, suppose we say: "The electoral law is the most fundamental law. In the People's Republic, as there is no electoral law adopted through universal suffrage, the legislative organization, therefore, cannot represent the people, legally speaking because the people have not entrusted and delegated their power to it to make laws." "The laws it makes have only manifested the will of the current NPC organization (or group) or the will of the leaders who determine the members of this organization, but not the will of the people." Suppose we say: The people are not very interested in the seven legal documents adopted at the Second Session of the Fifth NPC. The specific reason is that what is said and what is done are worlds apart. They are but a mere scrap of paper. For instance, there should not be any ideological criminals in a socialist country.

It is expressly provided in the Constitution that all citizens enjoy freedom of thought, speech, the press and association. As a matter of fact, however, "ideological criminals" are arrested everywhere. Wei Jingsheng, Ren Wanding, Fu Yuehua, Yang Guang, Chen Lu and Zhang Wenhe are still imprisoned in the Beijing No. 1 Prison. Do they not illustrate the point very well? With acts like this of going back on one's words, how can you arouse the belief of China's young people in the Communist Party. In capitalist countries, people can speak out freely, whereas in our socialist country, people are "punished for the views they express." How can this demonstrate the superiority of socialism?

In addition, why do the young people not believe in the bright future of communism? This is in fact easy to answer. Communism is actually a kind of idealism. That is to say, it can only be imagined and cannot be realized. To put it bluntly, it is also a kind of religion. It has gone even further than any religion. (The religion of the West is founded on the absurd chanting of scriptures and bowing of heads, whereas this kind of religion is founded on so-called "scientific theories.") Religions generally preach to people: It does not matter that we suffer some hardships now. By the time communism is realized, we will be implementing the principle of "to each according to his needs," and there will be equality and happiness. In a word, to the poor people, they play the role of feeding people on fancies and illusions. I may or may not believe in any religion. In China, however, I must believe in communism, otherwise I will be regarded as a traitor and heretic. I will then be criticized, rectified and even put to death. There has not been much change in this kind of situation today.

Then, does it mean that we believe in nothing and that there is no truth in the world? Not at all. Of course, many young people are no longer interested in politics, beliefs or any "isms," and the government is very anxious about this. I think this is a good phenomenon. Marxism and communism have not brought them any happiness in China and they, therefore, do not believe in them. This is just something natural. They no longer blindly worship any idols. The era in which they are compelled to worship idols has gone forever! But then, what is truth? What should we trust? According to my view, theories that have been demonstrated by practice to be correct are truth. (Of course, truth is also limited by its time and scope.) To put it specifically, no matter which party or group you belong to, if you can enable the people of your country to live a happy life, then we will support and respect you, or perhaps believe in you. When you do it today, we will believe in you today. However, when you no longer seek happiness for the people or even, on the contrary, start oppressing the people the next day, we will not believe in you. We will next oppose you and strike you down and later find a road which will lead the people to a happy life.

What happened yesterday cannot explain what happens today, and today cannot be substituted for tomorrow. No matter what parties or groups they are, if they want to attract even more disciples, they had better first make themselves into a "real buddha," because the ordinary people will not burn their joss sticks if they do see a real buddha.

In conclusion, let us look at one problem. Xing Benshi said: "Nowadays there is a 'crisis of confidence' among some of our young comrades." According to my view, it is not just some of them. If it is only some of them, how can it be called a crisis? He would do better to conduct some private investigations and find out in an accurate percentage. He must not say anything in an idealist way.

JR4532

Red Flag on Free Speech

The following is extracted from an article in the main theoretical journal of the Chinese Communist Party.

Essentially speaking, whether or not we want to implement the policy of "letting a hundred schools of thought contend" in political life is also a question of whether or not we want to practice socialist political democracy and democratic centralism. It is common knowledge that many capitalist countries have also flaunted "freedom of speech." However, this kind of "freedom of speech" is only true for the bourgeoisie holding power, but false for the proletariat and working people. Things are fundamentally different in a socialist country, because the overwhelming majority of the proletariat and working people are masters of their own affairs as masters of the state. Thus, they naturally must first have the right to speak and express their opinions on political matters.

Therefore, on the premise of respecting and upholding the fundamental system of the state, the people must be allowed to express opinions on political matters and develop discussions and debates. This is the paramount aspect of socialist democracy and the basis of democratic centralism and is called for by the nature of a socialist country. Precisely in this sense, only with power in the hands of the proletariat can "letting a hundred schools of thought contend" be explicitly put forward as a leading political policy of the state. We should value this point. Otherwise, if only a handful of people can make decisions on political questions, how can we talk about the people being masters of their own affairs? Where is there any sign of the superiority of the socialist system? This is an obvious principle. . . .

Under the socialist system, the exercise of dictatorship over a small handful of hostile elements by the overwhelming majority of people who are masters of their own affairs and who practice democracy reflects two aspects of the same problem. However, many of our comrades do not understand this dialectical relationship and invariably either consciously or unconsciously set democracy against dictatorship. They also talk about democracy but are actually afraid of it. They are afraid that too much talk of democracy might hamper dictatorship, and that once discussion is developed they can no longer carry out leadership. On top of that, they regard it as

CORRECTION

In the list which appeared on page 7 of the previous *SPEAHRhead*, it was indicated that Antonio Chiang (no. 76) had been arrested. This is incorrect.

Dancing

‘There was no dance in Beihai in the past. Following the dances held in the nationalities palace and the Great Hall, the young people are crazy about dancing. This shows that the young people want to live more fully. With the exception of paying attention to the needs of its “international friends” and those ranking “public servants,” the government seldom pays attention to the needs of the young people. The young people are, therefore, forced to find ways to meet their own needs. It is known to all that China’s houses are the most crowded houses in the world. With the exception of the “public servants” at and above the vice ministerial level, ordinary people have no place for dancing. Since there are few places to dance, the young people did something unusual and went to Beihai to dance. A notice put up recently in Beihai said that it is forbidden to dance there and that [words illegible] “trouble from hoodlums.”

We should like to ask this question: Why is it that the Great Hall has no “trouble from hoodlums” and that Beihai has trouble? . . .

Why is it that we cannot organize some dances for the young people? The crux of the matter is that after satisfying their own hedonistic needs, those elderly “public servants” have probably forgotten to think about the needs of the unmarried young people.’

Exploration, October 1979, JR4532

heresy and behave as though confronted by a formidable enemy if someone presents a view different from their own on political problems. This is due to the fact that for a long time they have made assessments contrary to the objective reality of class struggle. When people are obviously only exercising their normal democratic rights and exploring fresh viewpoints ideologically presented by certain existing political problems, on the premise of safeguarding the fundamental system of the state and implementing the line of the party, they nevertheless regard this as the “new orientation of class struggle” and “the class enemy ready to start trouble.” They hastily carry out suppression and even resort to dictatorship. After a while this has become quite a stubborn habit. They should soberly understand this. History is turning a new page . . .

Hongqi D79, JR5176

—Li Zhun

LEGEND

† This symbol indicates that our source is a broadcast transcript. Before the † will appear the location of broadcasting station, and the date of origin. "Date of origin" means the date of the original report, which in some cases will be the date the report was first published (as in a newspaper), rather than date of broadcast. If different, the FBIS date follows the †. (U.S. Foreign Broadcast Informa-

tion Service, *Daily Report*). FBIS volume number (I, in the case of the People's Republic of China) is omitted if obvious. Years are not indicated except for items more than 9 months old. Broadcast dates are Greenwich Mean Time.

[] A two-digit number in brackets indicates the relevant article of the U.N.'s Universal Declaration of Human Rights (1948). See page 2.

A April
a August
AFP Agence France Presse
AH Anhui Province
AW *Asiaweek*
BJ Beijing (Greater Peking)
BR *Beijing Review*
C China, People's Republic of
c circa
D December
F February
FEER *Far Eastern Economic Review*
FJ Fujian Province
GD Guangdong Province
GM *Guangming Daily*
GS Gansu Province
GX Guangxi (Zhuang) Autonomous Region
GZ Guizhou Province
HB Hubei Province
HEB Hebei Province
HEN Henan Province
HK Hong Kong
HL Heilongjiang Province
HN Hunan Province
I January
J June
j July
JL Jilin Province
JP Japan

JR U.S. Joint Publications Research Service (final digits of document number)
JS Jiangsu Province
JX Jiangxi Province
K Kyodo
LN Liaoning Province
M March
m may
MPR Mongolian People's Republic
N November
NK North Korea
NM Nei Monggol (Inner Mongolia) Autonomous Region
NX Ningxia (Hui) Autonomous Region
NYT *New York Times*
o October
PD *People's Daily*
PRC People's Republic of China
QH Qinghai Province
R Reuters
S September
SC Sichuan Province
SD Shandong Province
SH Greater Shanghai
Sh *SPEAHRhead*
SK South Korea
SN Shaanxi (Shensi) Province
SX Shanxi (Shansi) Province

T Tibet (Xizang Autonomous Region)
TJ Tianjin (Greater Tientsin)
TK Tokyo
TW Taiwan (Republic of China)
U Union of Soviet Socialist Republics
WP Washington Post
XH Xinhua (New China News Agency)
XJ Xinjiang (Uygur) Autonomous Region
YN Yunnan Province
ZJ Zhejiang Province

Check the box below if you are willing to participate in letter-writing campaigns in connection with non-violent political prisoners in any part of East Asia. A few times a year you will be asked to write several letters on behalf of such prisoners of conscience in China, Taiwan, Korea, Mongolia and/or Soviet East Asia. Information about each case will be supplied, along with letter-writing advice, officials' addresses, etc.



Your address label will be reproduced directly from what you write in the box below. You may use any language, but please write clearly, using *dark ink*.

APPLICATION FORM

← In the smaller box we will indicate the issue number with which your subscription expires.

FORWARDING POSTAGE GUARANTEED BY ADDRESSEE

RENEWALS: Unless your address has changed, it is *not* necessary to use this form, but please print on your check: your name, country, postal area code, and the word "renewal."

Unless otherwise requested, your subscription will be extended for the four issues following the numbers for which you previously paid.

Send to:

SPEAHR, P.O. Box 1212
Cathedral Station
New York NY 10025 USA

- ☐ Patron, US \$100
☐ Supporting member, \$25
☐ Regular member, \$10

- ☐ Additional member (same address), \$1

All categories of membership except "additional member" receive a year subscription to *SPEAHRhead* (quarterly).

- ☐ Non-member *SPEAHRhead* subscribers:

Surface mail \$8

Air mail

U.S., Canada, Mexico \$10

Elsewhere \$15

Five dollar charge for subsequent billing.

- ☐ East Asian prisoner of conscience letter campaign participant

CONTRIBUTIONS TAX-DEDUCTIBLE

Although anyone may subscribe to *SPEAHRhead*, contributions are not accepted from political groups, for-profit corporations, or governments.

Checks:

- US and Canadian dollar checks should be made payable to "SPEAHR/USA."
- Hong Kong dollar checks should be drawn payable to "Citibank a/c #50304402."
- Other currencies: add the equivalent of \$5 for bank service charge, and make payable to "SPEAHR/USA."

CONTENTS

SOUTH KOREA

Editorial: Korean Tragedy (Page 1)
Photos: Repression in Kwangju (23)

TAIWAN

Ch'en Chu's Final Statement (3)
Letters: The Kaohsiung Incident (4)
Prisoner Profiles:
 "Nativist" Writer Wang T'o (5)
 Visionary Ho Chi-hsing (30)
Trial of Religious Leaders (6)
Notes on Human Rights Visit (19)
Kaohsiung Incident: Photos (25)
Lin Yi-hsiung: My Detention (26)

PEOPLE'S REPUBLIC OF CHINA

Only Modest Rights Gains (24)
Wei Jingsheng: Two Views from Hong Kong (41)
Red Flag on Free Speech (54)

DISSIDENT DEMOCRATS' ESSAYS

Privacy in the Mails (21)
Free Speech and "Counterrevolution" (32)
On the Original Enlightenment in Europe (33)
Mao Zedong: Two Views (34)
The Story of *Exploration* Magazine (38)
The Suppression of *Around the Bohai* (42)
Technology: The Wrong Medicine for China's Malady (44)
On Unemployment (45)
On Law (46)
Heard at Democracy Wall (47)
"Anti-Rightism" or Anti-Democracy? (49)
Emigration (50)
Modern "Religion" (51)
Youth: Crisis of Confidence (53)
Dancing (54)
Miscarriage of Justice: The Yu Luohe Case (18)

NON-PROFIT ORG.
U.S. POSTAGE
PAID
NEW YORK, N.Y.
PERMIT NO. 2502